

EXHIBIT A

Page 1

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO

MENG HUANG,)
)
Plaintiff,)
)
VS.) No. 2:10-CV-01976-JLG-CMV
)
OHIO STATE UNIVERSITY and)
GIORGIO RIZZONI,)
)
Defendants.)

)

TELECONFERENCE DEPOSITION OF DYCHE ANDERSON

VIDEOTAPED

TUESDAY, NOVEMBER 10, 2020

10:00 A.M. ET

VIA ZOOM

REPORTED BY: ANTHONY JUDE CORDOVA, RPR, CSR

JOB NO. 328349

Page 2

1 BE IT REMEMBERED THAT, on November 10, 2020,
2 commencing at the hour of 10:00 a.m. ET of the said day,
3 before me, ANTHONY JUDE CORDOVA, RPR, CSR, a Certified
4 Shorthand Reporter and Notary Public in the state of
5 Pennsylvania, remotely appeared Dyche Anderson, produced
6 as a witness in the above-titled court and cause, who,
7 being by me first duly sworn, was examined in said
8 cause.

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APPEARANCES

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9 ALSO PRESENT:

10 Chester Wong - Videographer

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1 DYCHE ANDERSON,

2 Being by me first duly sworn,

3 Was examined and testified as follows:

4 - - - -

5 EXAMINATION

6 - - - -

7 BY MR. FOX:

8 Q. Good morning, Mr. Anderson. My name is Bruce
9 Fox, and as you know, I represent the plaintiff in this
10 case, Meng Huang. I'll be asking you a series of
11 questions today that relate to the facts of this case,
12 and let me just give you the ground rules for the
13 deposition. I don't know if you've ever been deposed
14 before or testified before in any case but --

15 A. I have not.

16 Q. -- pretty straightforward. Okay. Basically, if
17 I ask you a question, make sure that you understand the
18 question. If you need clarification, please let me know
19 and I'll be happy to rephrase each question that's put
20 to you. Also, if you'd like to take a break at any
21 point during the deposition, just let me know. I'm
22 happy to do that at any point. We don't want this to be
23 an endurance contest and just indicate that and we can
24 take a break.

25 It's also important for you to respond verbally

1 to all the questions that are posed. Even though we
2 have a video of this deposition, we also have a court
3 reporter who is taking a written transcript. So, we
4 want to make sure that all your answers are captured
5 verbally. So, a nod of the head or a shake of the head
6 wouldn't be picked up that way.

7 Finally, it's important for you to make sure
8 that I just complete my question before you attempt to
9 answer it. That's not normally the way we communicate
10 as human beings in conversation -- we're always trying
11 to complete the other person's thoughts or sentences --
12 but that makes it difficult for the court reporter if we
13 end up talking over each other. So, we'll try to avoid
14 that. I'll try to avoid interrupting you, certainly, as
15 well.

16 Alright. Do you understand all those ground
17 rules?

18 A. Yes, I do.

19 Q. Okay. And we may also -- let me -- we may end
20 up using this video of your testimony in front of a
21 court or a jury in case you're not available for trial
22 or for whatever reason, just so you're aware of that, as
23 well.

24 A. Okay.

25 Q. Okay. Could I just have your address, please?

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1 A. It's 46520 Strathmore -- S-T-R-A-T-H-M-O-R-E --
2 Road in Plymouth, Michigan.

3 Q. Thank you. Could you briefly describe for me
4 your education after you graduated from high school?

5 A. I have a Bachelor's Degree in chemical
6 engineering from Michigan Technological University and
7 Master's Degree also in chemical engineering from New
8 Mexico State University.

9 Q. Okay. And when did you roughly -- do you recall
10 when you received those degrees?

11 A. I graduated, got my Bachelor's in '81. I went
12 straight to graduate school. I didn't get finished
13 until '87. Long story.

14 Q. Okay. That's often the case for some of us.

15 Did you have a concentration -- what was your
16 concentration with your undergraduate degree?

17 A. At Michigan Tech for chemical engineering, at
18 that time, there were no specialties, just you had your
19 degree in chemical engineering only.

20 Q. Okay. And then for your graduate degree in
21 '87 --

22 A. My --

23 Q. -- what did you concentrate on?

24 A. My thesis topic was in enhanced oil recovery.

25 Q. Okay. Okay. Then if you could just describe to

Page 9

1 me briefly your work history?

2 A. Okay. From 1984 through 1987, I worked as a
3 programmer for a computer-aided design company called
4 Haldine & Associates in El Paso, Texas. From 1987 until
5 1996, I worked as a battery engineer for the Naval
6 Surface Warfare Center in Crane, Indiana.

7 Q. Alright.

8 A. Since I came to Florida in 1996, I was
9 originally hired to be the battery engineer for the
10 electric Ranger. As time went on, because I was the
11 only one who knew about software and batteries, I moved
12 into the battery controls, battery management area and
13 almost exclusively that for the last 20 -- 20 years.
14 Since 2005, I'm a technical specialist in battery
15 controls and battery management. Title has changed
16 somewhat. During that time period between 2008 and
17 2019, I was also supervisor of the research group in
18 that area.

19 Q. Okay. And have you been located in the same
20 place during your entire employment with Ford?

21 A. Yes.

22 Q. And where is that?

23 A. Dearborn, Michigan.

24 Q. Okay. And what is your current title with Ford?

25 A. Technical -- pardon me. Technical expert for

Page 10

1 battery management.

2 Q. Okay. And how long have you held that title?

3 A. This is kind of -- because of a reorganization,
4 it changed from battery controls to battery management
5 in 2019. The roles, my --

6 Q. Okay.

7 A. -- specialty did not change, just the title.

8 Q. Okay. So, from 2014 to 2019, were you doing
9 basically the same thing?

10 A. Yes.

11 Q. Okay.

12 A. The only difference was --

13 Q. Could you describe for --

14 A. Sure. My role is since 2008, I have been in
15 research and advanced engineering at Ford responsible --
16 or working on battery controls and battery management
17 algorithms and hardware in the research advanced
18 engineering since 2008. So, it's really where we go
19 next. I do not work on -- directly on product programs,
20 rather, I work on technologies that may be used in the
21 future. So, responsible -- does that help?

22 Q. Yeah. That's very helpful. Is it true that
23 you're one of the leading internal experts on electric
24 battery technology at Ford?

25 A. Yes.

Page 11

1 Q. Okay. Now, can you describe for me generally
2 Ford's relationship with Ohio State University as you
3 understand it?

4 A. I think, yes, I can. Ford has research at many
5 universities. There are a handful of them of which Ohio
6 State is one which we refer to as alliance universities.
7 With alliance schools, they're preferred in their
8 funding and there are preset terms for intellectual
9 property as opposed to if I went to a non-alliance
10 school, there would not be those preset terms. One
11 however --

12 Q. Okay.

13 A. Okay. So, in a given year, there's always
14 competition for university projects and those are --
15 although it goes to the alliance universities primarily,
16 it's still based on the merits of the project. No
17 university is guaranteed a certain amount of funding.

18 Q. I see. How many alliance universities does Ford
19 have a relationship with approximately, if you know?

20 A. About half a dozen.

21 Q. Okay. And is OSU one of the main ones?

22 A. OSU is -- I'm not sure right now if they're at
23 the first tier or the second tier on that. There were
24 some changes last year and I'm not a hundred percent,
25 but they're one of the leading universities. There's

Page 12

1 only six in the US. So, Michigan is probably the most

2 --

3 Q. Okay. And how long have you been working, Mr.

4 Anderson, with OSU during the course of your career at

5 Ford?

6 A. The only project I had directly, the first one,

7 was this project with Dr. Rizzoni. We were certainly

8 aware of each other. We never had a project together.

9 Q. Okay. I see. Okay. And what project is that?

10 Is there a way you refer to that project?

11 A. The short term is remaining battery life or

12 remaining useful life.

13 Q. Okay.

14 A. It's got a very long title, of course, like most

15 university projects.

16 Q. Right. Okay. We'll call it remaining battery

17 life, then, for purposes of my questions. When did the

18 remaining battery life project commence?

19 A. I believe it was officially in April of 2015

20 when -- a formal project start date, and, in earnest,

21 that fall when we had a graduate student assigned.

22 Q. Okay. In the fall. So, your graduate student

23 assigned the fall of 2016; correct?

24 A. '15.

25 Q. '15?

1 A. Yep.

2 Q. And who was that student?

3 A. That was Meng Huang.

4 Q. Okay. And did you have any -- had you ever met
5 or spoke with Meng prior to that project?

6 A. No, I had not.

7 Q. Okay. And you mentioned you had known Giorgio
8 Rizzoni before that but hadn't actually worked with him
9 on a project?

10 A. I was aware of him and his work, but I'd never
11 worked with him. I may or may not -- I may have met him
12 in a talk someplace but --

13 Q. Okay. Now, who decides -- who decides which
14 student will be assigned to work on a particular project
15 like this?

16 A. Faculty.

17 Q. Okay. So, the selection is made by OSU;
18 correct? Do you have any collaborative role with them
19 with review of candidates or is a candidate just
20 presented to you by OSU?

21 A. It's just presented to me by the university,
22 yes.

23 Q. Okay. Now, how was this particular project, the
24 remaining battery life project, funded?

25 A. It was funded under a university research

Page 14

1 program process which is one of -- there are two ways we
2 fund universities at Ford, the URP and an alliance, the
3 university research project, which is about 40 or
4 \$50,000 a year.

5 Q. Okay. And what's the other way of funding?

6 A. It's called an alliance project which can only
7 go to those six alliance universities and that's more
8 dollars per year, but also we pay overhead and we do not
9 pay overhead in the URP.

10 Q. I see. Okay. Do you know, do you have any
11 general sense as to how much funding is provided by
12 OSU -- or by Ford to OSU over any length of time, like
13 on an annual basis, for example?

14 A. No. I do not know.

15 Q. Okay. Are you in charge of establishing the
16 budget that's for a particular project or do you have
17 any role in that?

18 A. For a university research project, we -- there's
19 just a maximum -- with this one was a maximum of 40 or
20 \$50,000, it recently went up, and I have never seen a
21 URP in this country that's been anything less than the
22 maximum, so, no. But with a larger one, we would then
23 work with the university, their budget request, we would
24 have to approve or say this doesn't make sense.

25 Q. Okay. Now, prior to working with Meng, how many

Page 15

1 interns have you worked with over the course of your
2 career at Ford?

3 A. About five or six.

4 Q. Okay. And over what length of time, would you
5 say?

6 A. There was certainly -- I was counting this stuff
7 the other day. I believe there were a total of five
8 since -- since 2008.

9 Q. Okay. And do you routinely evaluate their
10 performance when you work with them on URP projects?

11 A. On URP projects, since they are -- if they're
12 just a URP project, that is the responsibility of the
13 faculty. We can have -- I can have feedback, of course,
14 but that's not normal. If they're an intern working as
15 a Ford employee, that's when I have the direct feedback.

16 Q. Okay. And Meng -- Meng became an intern at
17 Ford; correct?

18 A. Correct. 2017.

19 Q. And prior to her, how many interns would you
20 have supervised or been involved with at Ford?

21 A. About five.

22 Q. Okay.

23 A. Four or five. Yes.

24 Q. Okay. Do you supervise -- are you the -- were
25 you the person at Ford who supervised Meng in her

Page 16

1 internship?

2 A. Yes, I was.

3 Q. And she had two consecutive internships; is that
4 correct?

5 A. That is not quite correct. The first summer of
6 2016, she was at Ford as a visiting scholar and that's
7 slightly different in that a visiting scholar is someone
8 who we allow to sit with us for a summer. In this case,
9 she had her own desk and office but she was not a Ford
10 employee nor was I -- did I direct have supervisory
11 responsibility.

12 Q. Okay. Then when was she an intern during that
13 period of time?

14 A. In the summer of 2017. June through August, I
15 believe. It might be May.

16 Q. Okay. Okay. And during that latter period of
17 time, were you the person at Ford who supervised her?

18 A. Yes, I was.

19 Q. Okay. And let's just go back to during this
20 time that she was a visiting scholar. What was your
21 level of contact with her then during the time that she
22 was there, like for example on a weekly basis or daily
23 or --

24 A. We pretty much talked daily. Her office was
25 adjacent to mine. Long reviews were not necessarily

Page 17

1 every day, certainly less the level of contact that an
2 intern would have, and she could come and go if -- when
3 she wanted to.

4 Q. Okay. What was the scope of her assignment, if
5 you want to call it that, if that's a correct term, when
6 she was a visiting scholar at Ford?

7 A. Her term as visiting scholar would have been to
8 work on her -- on her URP research and her doctoral --
9 her doctoral research just with closer contact to us to
10 learn more about batteries.

11 Q. Okay. And in your daily communication with her
12 during the time that she was a visiting scholar at Ford,
13 what types of things would you generally discuss with
14 her?

15 A. We would talk somewhat about my -- about the
16 philosophy of battery controls, how it works. I often
17 teach classes on that, so what does state of charge
18 mean, what does power capability mean, some of those
19 things. Then in terms of by her approach would give her
20 feedback on what she was doing also.

21 Q. Okay. Do you recall when -- when you initially
22 met her?

23 A. I don't remember exactly. I think it was -- I
24 think she and Professor Rizzoni came up once or twice
25 beforehand, but I don't remember the exact dates.

Page 18

1 Q. Okay. And what were your initial impressions of
2 her; do you recall?

3 A. They were quite positive, so she had -- my
4 impressions were she had --

5 Q. Okay. And --

6 A. -- she has an experience working in the
7 automotive industry which gives a different perspective
8 to an intern than those who have never worked as a
9 professional before.

10 Q. Okay. It was your understanding she worked at
11 Bosch before?

12 A. And GM China, I believe, also. And it's Bosch,
13 by the way.

14 Q. Bosch. I'm sorry.

15 A. Yeah.

16 Q. Thank you. And during the time that she was a
17 visiting scholar, did you continue to form an impression
18 of her quality as a scholar and as a Ph.D. student?

19 A. She seemed capable as a Ph.D. student, so that
20 was -- yeah. I'm trying to remember from back in 2016,
21 so I have no negative -- no negative recollections
22 whatsoever.

23 Q. Okay. And then just some overview questions.
24 Have you been asked to serve on students' candidacy exam
25 committees --

Page 19

1 A. Yes, I have.

2 Q. -- for Ph.D. students?

3 A. Yes, I have.

4 Q. Okay. How frequently have you been asked to do
5 that?

6 A. The first -- well, this would have been the
7 second one, once at the University of Michigan and about
8 five -- about eight years ago, roughly.

9 Q. Okay. And do you think you are qualified to
10 serve on candidates exam committees?

11 A. The professors told me I was.

12 Q. Okay.

13 A. I say yes because I'm familiar with the work
14 that the student is doing, so yes.

15 Q. Okay. Now, can you describe for me generally
16 your impressions of Professor Rizzoni after -- after you
17 met him?

18 A. Oh. He's comes across as highly capable. He
19 reminds me of my own advisor in undergraduate school who
20 always had a lot of different things going on. So --

21 Q. A lot of different things going on?

22 A. Yes. Yes.

23 Q. Okay. Have you worked with any of Professor
24 Rizzoni's other interns?

25 A. Yeah. I have worked with -- so, let me

Page 20

1 understand this question. I have worked with his former
2 graduate students, a number of them, at Ford. I worked
3 with other Ohio State -- yes, I have worked -- I've had
4 some -- I've had some dealings with one of his other
5 direct graduate students while they were graduate
6 student or post doc.

7 Q. Okay. Who was that, if you recall?

8 A. It was Kaveh -- and I'm trying to remember his
9 last name -- it's long -- and he was the one who -- he
10 finished up the role after -- he finished the URP
11 project for Professor Rizzoni. He has also been an
12 intern at Ford and I dealt with him then for somebody
13 else.

14 Q. Okay. Okay. Did you ever deal with anyone else
15 who worked under Professor Rizzoni's supervision?

16 A. There was also a post doc who came in during
17 that last time period and I have -- from China and I
18 have forgotten his name.

19 Q. Okay.

20 A. Yes.

21 Q. Alright. I'd like to turn to the exhibits now,
22 if we could. We're just going to go through them I
23 think because that's probably the easiest way, and the
24 first one that I marked is Exhibit 125.

25 THE VIDEO TECH: Counsel, this is the tech. Do

Page 21

1 you want me to pull this up and share this on screen?

2 A. That would work, yes.

3 Q. Okay. Whatever's easier for you, Mr. Anderson.

4 THE VIDEO TECH: Please stand by. The exhibit
5 should now be on screen.

6 (Exhibit 125 was marked for
7 identification.)

8 Q. Okay. I just asked you, Mr. Anderson, if you
9 recall seeing this email?

10 A. I have -- I have seen it, yes.

11 Q. And was this the email by which you were
12 introduced to Meng?

13 A. I don't remember whether this was the first one.
14 I think that -- I don't know -- I don't think this was
15 the first one, but I -- I could be wrong on this.

16 Q. Okay. But you received this email before you --
17 you had met her or had any contact with her?

18 A. I believe so.

19 Q. And it states in the first line: Meng Huang is
20 continuing in Alex's and Jim's footsteps and is rapidly
21 becoming engaged in all aspects of battery research,
22 mostly computational at the moment, extending Jim,
23 slash, Alex's model to include thermal dynamics, but I
24 can see that she may be doing some experiments in the
25 near future. She would benefit immensely from some

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1 experience at Ford. Do you see this -- do you see an
2 opportunity for an internship next summer? Let me know
3 if I can do anything to facilitate this. Thanks,
4 Giorgio. And it's directed to you and Jim -- I may get
5 this pronunciation wrong, Mar -- also -- Martucci? Is
6 that Martucci?

7 A. Marcicki.

8 Q. Marcicki? Okay. Now, where Professor Rizzoni
9 states Meng is continuing in Alex's and Jim's footsteps,
10 do you know who they were?

11 A. Very much so. Very much so. Yes. Jim is Jim
12 Marcicki and Alex is Alex Bartlett. They were both
13 doctoral students of Professor Rizzoni funded by Ford --
14 by Ford money. They were not under me at the time.
15 That was under another part of our research organization
16 which was at the time separate, but they're both -- I
17 still talked with both of them on a frequent basis. So,
18 it was -- Jim came first, then Alex, then Meng.

19 Q. Okay. And did they perform to a high standard,
20 as well?

21 A. Extraordinarily high standards.

22 Q. Okay. And are they -- are they currently
23 employed at Ford?

24 A. Yes, they are.

25 Q. Okay. And did Meng continue in their footsteps

Page 23

1 and perform to an extraordinarily high standard?

2 A. So, when I -- I cannot comment too much on Jim
3 and Alex's work at Ohio State. I can only comment on
4 their work at Ford which I know better. But they were
5 both -- they had both performed well enough to be
6 offered jobs at Ford.

7 Q. Okay. Was the same true of -- was the same true
8 of Meng?

9 A. She performed very well, yes, to the point where
10 we -- yes, we did.

11 Q. And to the point where you liked her so much
12 that she was offered a job at Ford?

13 A. Yes, she was.

14 Q. And so let me ask you what -- do you recall what
15 happened next after you received this email from
16 Professor Rizzoni?

17 A. Yes. That would have happened in October and
18 that's a little before we start going through our
19 internship process, but what eventually happened which
20 is normally done in the wintertime, this is the right
21 time to start the conversation. So, because of funding,
22 there was no way for us to fund her as an intern that
23 summer, so we brought her in as a -- so, Professor
24 Rizzoni generously funded her as a visiting scholar.

25 Q. Okay. And did anyone else work with her in her

Page 24

1 role as visiting scholar closely other than you?

2 A. Yes. Mr. Mike Beeney.

3 Q. Okay. Did you consult with him on a regular
4 basis about her performance?

5 A. Yes. He reported to me, as well, at the time.

6 Q. And what was his position at Ford?

7 A. Research engineer.

8 Q. Okay. And was he equally pleased with Meng's
9 performance in the visiting scholar role?

10 A. Again, that's not when we rate the performance
11 on. It's a learning experience for us. So, that's
12 simply a -- there was no reason not to -- there were no
13 issues with her that summer.

14 Q. Okay. Then -- then she came back the following
15 summer as you testified as an intern; correct?

16 A. Yes.

17 Q. How did that come about?

18 A. We like to have our graduate students who are
19 working on projects come in as paid interns if we can.
20 One reason was -- the biggest reason we do it is it
21 helps us evaluate them as future employees and we were
22 able to fund her under our departmental internally
23 funded internship dollars which is the only way we can
24 as opposed to a corporate internship which you have to
25 be a US citizen or permanent resident, but we can fund

Page 25

1 nonresidents under that project, under that method.

2 Q. Okay. And when -- when you brought her in, were
3 other persons' approval at Ford required to bring her in
4 as an intern other than you?

5 A. Oh, yes. I had no authority for that. No. It
6 has to go -- it had to go through -- there was -- okay.
7 There would have been so many intern slots based on
8 available money to our department at the time and, my
9 manager Mr. Chris Davey would have made -- I believe
10 would have made the final decisions, either that or his
11 director Mr. Craig Stevens, but I believe it was Mr.
12 Davey.

13 Q. Okay. And did you make a recommendation that
14 Meng be brought on as the summer intern?

15 A. Yes.

16 Q. To everyone?

17 A. Yes.

18 Q. Okay. And what was the basis for your
19 recommendation?

20 A. Her work on the U -- on the URP project.

21 Q. Were there any -- any competing candidates
22 for -- for the internship position?

23 A. To the best of my recollection, we had five
24 internships -- supplemental interns that summer, and I'm
25 trying to -- I do not remember whether there was a five

Page 26

1 out of six or we got all -- we had six candidates or
2 five for all the positions, but I just don't -- do not
3 recall.

4 Q. Okay. Do you know where she ranked among the
5 candidates or if there was a ranking?

6 A. There was not a ranking.

7 Q. Okay. Okay. So, when -- when did she come
8 aboard? Was that in approximately May of 2017 or --

9 A. Approximately.

10 Q. -- June?

11 A. May or June.

12 Q. Okay. And how long was she with you in her
13 internship role?

14 A. I believe it was 11 weeks which is the standard
15 length.

16 Q. Okay. And was she again right -- right next to
17 your office?

18 A. Yes. Yes. We had moved in the meantime and so
19 we were -- we were kitty-corner from each other.

20 Q. Okay. And did you have daily contact with her
21 regarding matters relating to her internship?

22 A. Yes. Yes, I did.

23 Q. Okay. What -- what types of things would you
24 routinely discuss with her?

25 A. Everything -- well, so her -- her role that

Page 27

1 summer, her main part of her task was to look at our --
2 one of our projects and see how other research might
3 integrate into it. It was something we could not let
4 her do as a -- as a non -- nonemployee. So, we would be
5 explaining to her the details of what we -- what we had,
6 how our -- how our project worked along with Mr. Beeney
7 and Dr. Araujo Xavier, but --

8 MR. FOX: Okay. Mr. Court Reporter, we can take
9 the exhibit down now. There we go. Thank you.

10 Q. So, during your frequent meetings, her
11 understanding and knowledge about the technology that --
12 or about the matters she was working on with -- in your
13 daily meetings with Meng during her summer internship,
14 were you able to evaluate her understanding and scope of
15 knowledge about the matters she was working on?

16 A. Yes, I was.

17 Q. What was your evaluation?

18 A. It was very, very, very, very positive.

19 She caught -- she caught on to things that were very --
20 only someone with deep understanding would be able to
21 understand.

22 Q. Okay. And were -- were you impressed with
23 her -- with her work ethic?

24 A. Yes, I was.

25 Q. Were you impressed with her focus and

1 commitment?

2 A. Yes, I was.

3 Q. Were you impressed with her seriousness of
4 purpose?

5 A. Yes, I was.

6 Q. Were you impressed with her earnestness and
7 honesty?

8 A. Yes, I was.

9 Q. Okay. Did anyone do any written evaluation of
10 her performance during her summer internship?

11 A. Yes. I did.

12 Q. Okay. And do you recall what -- what form that
13 written evaluation took?

14 A. Yes. It's actually in an electronic form on a
15 company template. So, there were performance
16 objectives.

17 Q. Okay. Let me show you what's been marked as --
18 I'd like to just skip ahead. Skip Exhibit 126 and move
19 on to Exhibit 127.

20 (Exhibit 127 was marked for
21 identification.)

22 Q. Mr. Anderson, does this appear to be the written
23 evaluation that we were just discussing?

24 A. Yes, it does.

25 Q. Okay. And did you -- did you fill out this

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1 written evaluation for Meng?

2 A. Yes, I did.

3 Q. Okay. What -- what's the purpose of -- it's
4 called a Ford Motor Company Intern, slash, Co-Op
5 Performance Evaluation Guide. What is the purpose of
6 this performance evaluation?

7 A. The purpose of this is to document their
8 performance. A large part of it would be, then, for
9 future employment purposes, so do we want to have that
10 person back again, but it's -- I'll slow down. But it's
11 also a feedback to the employee so we can tell him or
12 her how they -- how they -- how they did in the
13 summertime. We will give direct feedback to the
14 employee or the intern.

15 Q. Okay. If we could just take a look at the
16 document, if you could help me work through it a little
17 bit, I think it might be helpful if we could turn to the
18 third page of the document, numbered page 3 which is
19 entitled Objectives Form.

20 A. Yes.

21 Q. And just -- can you just identify that page?

22 A. Yes. I can -- can you zoom up -- can you zoom
23 in a little, please? Thank you. So, the first
24 objective was the main portion and it says look at the
25 -- now I have a question. This was a -- there is some

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1 pro -- proprietary stuff in here. The fact that we were
2 doing electrochemical model-based research project was
3 Ford confidential, so -- but really what to look at
4 was -- was look at the structure of -- of this other
5 technology that was being developed and the structure of
6 her model and -- but we're trying to see were they
7 compatible.

8 MR. LINVILLE: Doug. Doug, hold up just a
9 second. It's Bruce Fox; correct?

10 MR. FOX: That's correct, Ron. Yep.

11 MR. LINVILLE: So, I'm -- I'm not intimately
12 familiar with your protective order that's in place. I
13 know it's in place. To the extent that he's talking
14 about anything that would be of a proprietary nature, do
15 we have the ability to mark that in the deposition as
16 confidential?

17 MR. FOX: We can certainly indicate that on the
18 record that this will be treated as confidential
19 pursuant to the confidentiality stipulation the parties
20 have entered into in this case.

21 MR. LINVILLE: And it's -- it's an order filed
22 with the Court; correct?

23 MR. FOX: I believe that's correct. Yes.

24 MR. LINVILLE: Okay. Thank you.

25 MR. FOX: Opposing counsel can correct me if I'm

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1 wrong, but I know there was a stipulation and we almost
2 always file such stipulations with the Court.

3 MR. LINVILLE: Okay.

4 MS. CORL: We have an agreed protective order
5 that is a -- it is a Court order.

6 MR. LINVILLE: Okay. Great. Then, just so I
7 don't interrupt, we'll just -- once the -- if you
8 transcribe the deposition, probably the easiest thing
9 would be for us as he's reviewing it just to identify
10 those portions which we want marked as confidential
11 pursuant to that order.

12 MR. FOX: Sure. Fair enough.

13 MR. LINVILLE: Okay. Thanks.

14 MR. FOX: Sure.

15 BY MR. FOX:

16 Q. Okay. Mr. Anderson, if you could skip ahead
17 two pages where it looks like the objectives section is
18 filled in with notes headed final progress and then
19 there's a rating.

20 A. Uh-huh.

21 Q. That's numbered page 5 of 12.

22 MR. FOX: We could put that up, please.

23 Q. Okay. What -- what does this page represent?

24 A. This is her final rating on the performance she
25 did during the summer. The interns were ranked in two

1 different ways, between this and their final
2 presentation which was also in that document separately.

3 Q. Okay. I just want to go through them one by
4 one, if we could. The first objective is identified as
5 follows: Confirmation that the electrochemical
6 model-based battery controls model presently under
7 development has the proper structure to accommodate a
8 remaining battery life model, specifically that being
9 developed by Ms. Huang in the URP aging modeling state
10 of -- and then it looks like that part is cut off a
11 little bit.

12 A. Yes.

13 Q. Next to that, it states final progress and it
14 states: Ms. Huang found areas where the existing model
15 may have issues predicting future behavior and
16 recommended changes, specifically the addition of a
17 model for the anode. She described why the model needed
18 to be changed tracing back from engineering effects to
19 basic principles such as one of the key -- then it
20 appears that it's cut off. Did you supply those
21 comments regarding Meng's final progress --

22 A. Yes, I did. I'm sorry. Yes, I did.

23 Q. You supplied the other comments, as well;
24 correct?

25 A. Yes, I did.

1 Q. Okay. And in making your notes as to final
2 progress on this point, what -- what were you saying
3 essentially when -- when -- when -- when you recorded
4 this? What are you saying about her progress on this
5 objective?

6 A. I was saying she did an outstanding job. The
7 nine scale which is the top rating we could give her in
8 this -- in this format meant she exceeded all -- all the
9 expectations for that particular objective.

10 Q. Okay. And if -- if we could just turn to the
11 next objective. If the model is inadequate, the intern
12 would be expected to propose changes to solve the
13 problem. Your notes say under final progress: Ms.
14 Huang proposed the addition of an anode model to the
15 existing Ford model in order to accommodate a remaining
16 battery life model. She also pointed out that need not
17 be done before the remaining battery life functionality
18 is added in. Then you also give her a nine in that
19 category. What -- what did you mean by -- by the notes
20 that I just read to you?

21 A. What -- what -- in a -- what -- what she pointed
22 out was that the model that we were -- was being
23 developed would not adequately -- would not adequately
24 capture degradation mechanisms in the battery,
25 particularly those in the anode. As a reminder, a

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1 battery has two electrodes. The positive electrode is
2 the cathode. The negative electrode is the anode. So,
3 in this case, degradation of the graphite anode was not
4 captured in the Ford model and it needed to be captured
5 to properly integrate her model.

6 Q. Okay. And for that, you gave her a nine, as
7 well; correct?

8 A. Yes.

9 Q. And then the next objective is identification of
10 potential changes required to the OSU model to better
11 confirm with real world needs. In your comments for
12 final progress, you said: Not only did the intern
13 identify the few changes needed, but she also developed
14 a validation methodology for the OSU model. Critical
15 work was performed to determine if a dual or
16 single-particle model was most effective for a dual
17 cathode chemistry such as the NMONMC blend found in the
18 LG cell used -- and then it looks like it's cut off a
19 little bit. Can you explain what -- what you meant by
20 making that comment?

21 A. Yes. In the -- the single-particle model was a
22 model that does not have -- does not have the electrodes
23 separately while a dual-particle model looks at -- I'm
24 sorry. Let me start over on this. Please scratch that.

25 You have a cathode positive electrode used in

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1 such vehicles as the Chevy Volt and the former Focus,
2 Ford Focus electric vehicle that used a blended
3 chemistry for the cathode of a nickel manganese oxide
4 and nickel manganese blends. So, the question was --
5 was did we need to set -- do you need to model them as
6 one or do you -- or did you have to split them into two
7 for the model. I wish I had all the rest of my cutoffs
8 which I know I have but I mean -- of the comments there.
9 That would help me.

10 Q. Okay. And you -- okay. I understand. And you
11 gave her a rating of seven for that. That was a pretty
12 high rating, too, wasn't it?

13 A. Yes, it was.

14 Q. Okay. Then the next objective is review
15 portions of the models from the electrochemical
16 model-based battery controls. GTDS project is requested
17 including those not necessarily related to the aging
18 model. What is meant -- what -- what did you mean by
19 that objective?

20 A. The first part was to look at the model as it
21 corresponded to integrate with her own model, and we
22 also wanted to -- this was more a stretch objective to
23 look at the rest of our model and to see -- have her put
24 in her comments on that.

25 Q. Okay. And then under final progress notes, you

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1 stated as follows: Multiple reviews were conducted.
2 The most significant was Ms. Huang finding calibration
3 issues with the existing model. Simply because she
4 said, quote, this value doesn't look right, unquote, an
5 investigation showed she was correct and proper value
6 was developed. Can you explain what you meant by those
7 notes?

8 A. Calibration in our terminology is a parameter
9 such as saying the radius is 3 even though you may not
10 know exactly what it is, and she looked at it and said
11 that it -- one of them just doesn't look right. So, we
12 looked in and sure enough the value was wrong, and
13 they -- the -- the other engineers developed the proper
14 value for that, corrected the value based on her
15 comments --

16 Q. Okay.

17 A. -- by the way, was to look at a value and say
18 that doesn't make sense.

19 Q. Why did you say it was an outstanding
20 contribution?

21 A. It requires a high amount of technical ability,
22 knowledge to look at a value and to say the value looks
23 wrong. That is not something a casual observer can
24 detect. You have to have a strong knowledge of what the
25 range of values should be.

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1 Q. Okay. Then I'd like to turn to the next page
2 which is numbered page 6 out of 12 which is headed Notes
3 About Student's Strengths. Then there's a column on the
4 left entitled Internship Overall, and the column on the
5 right, it says presentation on the upper hand -- on the
6 upper half of the page. Then on the lower part of the
7 page, there's a section Optional Notes About Student's
8 Areas for Improvement with the same responding
9 categories.

10 For internship overall in the upper left-hand
11 corner, it's stated: Outstanding technical capability.
12 Very enthusiastic. Strong analytical mind. A hard
13 worker. Strong capability of communicating complex
14 technical information in a manner which nonexperts can
15 understand. Easy to work with. I just -- I just want
16 to break that down a little. Those were your comments;
17 correct, Mr. Anderson?

18 A. Yes, they were.

19 Q. Okay. Why did you say that Meng had outstanding
20 technical capability?

21 A. Well, for example, as I just mentioned, she was
22 able to look at a calibration value and say it
23 doesn't -- doesn't look right. You need a strong
24 capability to do that. That's something she hadn't
25 developed herself.

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1 Q. And why did you say -- next you said she was
2 very enthusiastic. Why did you say that?

3 A. She came in. I -- this is hard to remember, but
4 she had enthusiasm in what she did. I -- some interns,
5 they're sort of there. Some are very present and
6 enthusiastic, dive into their work and get a lot done.

7 Q. Okay. And she was one -- one of those that got
8 a lot done?

9 A. Yes.

10 Q. Okay. And then you next said she -- she had a
11 strong analytical mind. Why -- why did you say that?

12 A. Again, she was able to -- to look at things and
13 make -- and analyze the good and the bad and what was
14 going on without having to ask too many questions.

15 Q. Okay. And you further observed she was a hard
16 worker --

17 A. Yes.

18 Q. -- is that correct?

19 Was she -- was she ever like not around or
20 unavailable unaccountably to do the work?

21 A. No. She -- for interns -- we had to push her
22 out at the end of the day. Interns, we are not -- they
23 are not allowed to work overtime, so we have to sort of
24 push them out every day, go home.

25 Q. Okay. She was reluctant to leave every day is

1 what --

2 A. Yes.

3 Q. -- you're telling me?

4 A. Yes.

5 Q. Okay. And you said further she had strong
6 capability of communicating complex technical
7 information in a manner which nonexperts can understand.

8 Why did you say that?

9 A. My department at the time, I was the battery
10 controls group in an area that was -- everybody else was
11 not battery except for my little team. So, my -- my
12 colleagues who she had to communicate to knew next to
13 nothing about batteries and she could explain her work
14 where everyone understood what she was talking about.

15 Q. Okay.

16 A. Yes.

17 Q. And you thought her capabilities of doing that
18 were -- were very strong, as you said; correct?

19 A. Yes.

20 Q. And that was despite the fact that English is
21 not her native language?

22 A. That's correct.

23 Q. You further said she -- she was easy to work
24 with. Can -- can you tell me why you said that and
25 maybe give me some examples?

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1 A. The examples are difficult from -- but it was a
2 -- 11 weeks where she was in every day, was not a
3 problem, very collaborative in her work -- in her
4 working, had always proposed ideas. It was just a
5 pleasant person to have in the office which is something
6 that Ford looks for.

7 Q. Okay. So, she -- she fit in pretty well with
8 your corporate culture as a congenial and hardworking
9 person; is that fair?

10 A. That is absolutely correct.

11 Q. Okay. Then under presentation, the next column
12 on the -- over on the right, you said: The ability of
13 Ms. Huang to communicate technical information to
14 nonexperts cannot be understated. It was outstanding.
15 Exclamation points. Some of the slides she developed
16 were so good that they will be incorporated into
17 existing presentations. Why did you go out of your way
18 to say that about her, that her ability to communicate
19 technical information to nonexperts cannot be
20 understated?

21 A. She developed a slide in her Power Point present
22 -- presentation that showed various factors about
23 battery degradation, what causes them and -- at four
24 different levels and it was easily the best I'd ever
25 seen, and it was so good that I have incorporated it in

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1 one of my standard presentations on battery controls
2 that I give to the company, one of my battery training
3 classes. It has been incorporated. But she developed
4 two different perspectives from it, one more technical
5 detail, one in a higher level and it was just very easy
6 to understand.

7 Q. Okay. Then you had some comments below under
8 notes about student's area -- areas for improvement.
9 Were there areas for improvement that you listed?

10 A. I -- I -- you can see what I listed. It was the
11 communication skills which as a nonnative English
12 speaker and then a little fast in the presentation,
13 still probably slower than me, but --

14 Q. Okay. But those -- were those minor areas in --
15 A. Very minor. Uh-huh. Sorry.

16 Q. And then if we could turn to the next page
17 entitled Management Presentation Form, can you just
18 describe for me what that page represents?

19 A. Yes. At the conclusion of every internship, an
20 intern has to provide a presentation of what she did
21 this summer to a management team of which I was one of,
22 and the comments on these pages are combination of my
23 comments plus other people's comments, and we sat
24 together afterwards and rate -- rated her on it, as
25 well. So, that's what this is.

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1 Q. Okay. Do you recall the other people, who they
2 were that participated in developing this?

3 A. I'm trying to remember all -- my -- my manager
4 Mr. Chris Davey was in the room. Who else was filling
5 out the forms I don't remember anymore. I'd be guessing
6 so that I'm not certain.

7 Q. Okay. Just approximately how many people do you
8 think contributed to these ratings?

9 A. I believe there were three others besides
10 myself.

11 Q. And what -- what types of positions would they
12 have been in at Ford? Would they also have been closely
13 involved in the relevant research regarding remaining
14 battery aging?

15 A. No. They were not. They were -- I was the only
16 one. I was -- they were all in my organization but
17 they -- at the time but none of them were battery people
18 in any way, shape or form. Either --

19 Q. Okay.

20 A. -- functional safety.

21 Q. Okay. And so for the first category,
22 understanding of and performance to objectives, there's
23 -- there's a rating scheme of one to nine. What -- what
24 rating did you give her for that?

25 A. Well, it's a nine.

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1 Q. Okay. And you said under please provide a brief
2 rationale for your rating above, you said: Clearly
3 defined the objectives and presented evidence on how she
4 met the objectives. Of special note was how she
5 included how she validated her work. What did you mean
6 by that?

7 A. Okay. Well, first of all, these management
8 presentations are in a specific template. So, the first
9 thing they're supposed to do is to explain -- is
10 describe what they were supposed to be doing that summer
11 and how they did it. What the special -- under the
12 validation, she included not only what she was -- when
13 she didn't meet the objectives, but also the fact that
14 she was making an attempt to validate her work which is
15 unusual for someone of that stage to -- interns to catch
16 that.

17 Q. Okay. And then the next -- the next category is
18 Overview of Processes, Resources and Teamwork Used to
19 Meet Objectives. Demonstrates an understanding of
20 processes used to meet objectives, knowledge of key
21 resources to meet objectives and ability to recognize
22 the importance of teamwork in meeting objectives. Then
23 there are various subcategories under that and the first
24 one is -- well, there are -- there are definitions of
25 what each -- each of the subparts of the ratings refer

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1 to for ineffective, effective and highly effective and
2 then there's a rating. Did you again give Meng the
3 highest rating of a nine for that category?

4 A. Yes, I did, and I'll just be clear. That rating
5 was done by consensus of myself and the other people who
6 were management evaluators.

7 Q. Okay.

8 A. Yes.

9 Q. And they -- they had worked with her throughout
10 the internship, as well; correct?

11 A. No. They had for the most part not. Most of
12 them had -- they -- she was aware who they were. She
13 may have known who they were and talked to them on
14 occasion, but there was no -- no day-to-day.

15 Q. Okay. But they were in a position to evaluate
16 her; correct?

17 A. In the -- of the presentation. This is of the
18 presentation.

19 Q. Yes. Okay. And can you just describe for me
20 the presentation that she did?

21 A. Boy. This is harder. It was -- I don't believe
22 I have seen a copy of that in -- in three years outside
23 of the one slide which I kept. So, again, she went
24 through what she did. This was -- this line item would
25 have been the re -- the resources, you know, look at

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1 what she had to do in terms of the teamwork. The
2 restrain from criticism comment was key. I'm not going
3 to go into details on that, but that was -- she handled
4 it well, a case where something else cut a corner and it
5 cost people, cost technology, it cost people so -- and
6 she handled it very tactfully.

7 Q. Okay. And you said she did a very good job of
8 explaining how the processes work and the teamwork
9 required, and this is a category that -- that rated her
10 in -- in her ability to work on the team --

11 A. Yes.

12 Q. -- and the importance of teamwork; is that
13 correct?

14 A. That's correct. Sorry. Talking too fast. Yes.

15 Q. And was -- was Meng -- was Meng a team -- a team
16 player in your view?

17 A. Very much so. Yes.

18 Q. Okay. The next category is Communication and
19 Presentation Skills, and for that one, you said:
20 Outstanding presentation. Some of the work she created
21 explained topics in a manner easy to understand by
22 nonexperts and were so good that they will be used in
23 future presentations. The speaking rate was too fast,
24 only negative in this area for an outstanding
25 presentation. And you gave her a category of eight for

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1 that; correct?

2 A. Could you scroll that down, please?

3 Q. I guess scroll to the right, you can see the
4 category.

5 A. Okay. Now there we are. Okay. We're fine now.

6 Thank you.

7 Q. Okay. So, for that category, you gave a rating
8 of eight?

9 A. Yes, I did.

10 Q. Okay. And does your rationale pretty much sum
11 it up why you gave her such a high rating?

12 A. Yes.

13 Q. Okay. Then the next category is Description of
14 Relationship Between Internship, slash, Work Assignment
15 and Ford's Vision, demonstrates a clear understanding of
16 Ford's vision and its relationship to the internship
17 work assignment, and for that you gave her another very
18 high rating of eight; is that correct?

19 A. That is correct.

20 Q. And you said for your rationale: A very nice
21 use of mapping her actions to One Ford Behaviors. The
22 context of the project in terms of the series of -- of a
23 series of projects was well understood and explained.
24 What were you referring to there when you said -- when
25 you use the term One Ford Behaviors?

1 A. At Ford Motor Company, we rate our people, all
2 of us, not only on what they do but how they -- what
3 they do but also how they do the job. They're equally
4 rated in any -- any employee's overall evaluation so --
5 we followed at the time anyway, they were called One
6 Ford Behaviors, and it's a very long list of things, but
7 that was -- and so she said this -- what I did her
8 mapped this behavior -- this Ford behavior and this
9 other One Ford Behavior. So, that was very well done in
10 terms of the -- how she does her job.

11 Q. Okay. And what -- what-- when it -- when it
12 talks about Ford's vision in here -- in this -- in this
13 category, what's meant by Ford's vision?

14 A. What is -- what is meant -- again, this is a
15 standard corporate terminology, but they want to know
16 does the employee understand why we're doing what we're
17 doing and for longer term projects how it fits into
18 everything, both how -- both how and what we do our
19 jobs.

20 Q. Okay. And she understood and exhibited behavior
21 which confirmed that she understood what Ford's vision
22 was; is that fair?

23 A. That is correct.

24 Q. Okay. And then if we could turn to the next
25 page, page 9 of 12, there -- there's a further category,

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1 Foster Functional and Technical Excellence, for which
2 you gave her a very high rating of eight; correct?

3 A. That is correct.

4 Q. And then you stated your rationale as follows:

5 Ms. Huang has outstanding technical proficiency. She
6 has shown it in both her URP work and her internship
7 this summer. She has a very good grasp of the why and
8 how her work makes a difference. Ms. Huang understands
9 the need for process and has been organize -- organizing
10 her work without being asked to help in this manner and
11 has found issues caused by others not following good
12 process.

13 Okay. When you said she -- you said she has
14 outstanding technical pro -- proficiency and you were
15 confirming that she showed it both in her URP work and
16 in her internship; correct?

17 A. Yes.

18 Q. You stated. And you also said she had very good
19 grasp of the why and how her work makes a difference --
20 I guess that's self-explanatory -- and she understood
21 the need for process and had been organizing her work to
22 help in this manner. What -- what -- what -- did you
23 mean by that? Can you elaborate on that a little bit,
24 what -- what -- how she had been organizing her work and
25 how that demonstrated her understanding of the need for

1 process?

2 A. For the process issue, there have been --
3 sometimes people -- when we talk about processes, we
4 talk about developing requirements, doing the work
5 towards those requirements, doing open validation
6 methods for the -- make sure all of the work matches the
7 requirements, and sometimes people get sloppy, and when
8 people get sloppy in their work such as just started
9 doing the -- doing the -- understanding the
10 requirements, sometimes mistakes happen. So, this is
11 why process is important to many of us.

12 It's the whole systems engineering philosophy
13 that is common in both -- in most of industry today.
14 So, when I talked about the others not following the
15 process, I mentioned earlier that -- that she had found
16 a calibration value that was incorrect because it didn't
17 look right. Well, someone else didn't follow proper
18 process and got a little sloppy and got a bad value and
19 she -- and she just went and caught it.

20 Q. Okay. And then the next category is working
21 together, and for that, you gave her a rating of nine;
22 correct?

23 A. That is correct.

24 Q. And for your rationale, you said: Worked
25 extraordinarily well with the engineers in the section.

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1 Found ways to criticize the work of former employees she
2 found issues without being negative or mean. Works
3 extraordinarily well in a collaborative environment. As
4 a foreign national, she is modifying her behaviors to
5 better fit in without compromising her values. Her
6 realization to contributions made by anyone are welcome.
7 Will go a long way in her career. I just want to ask
8 you about you said -- you said that she modified her
9 behaviors to better fit in without compromising her
10 values. What -- what did you mean by that? What was
11 the basis for that observation?

12 A. Well, first, could I please ask to scroll down,
13 please, so I can see it?

14 Q. Oh. I'm sorry.

15 A. Yeah. Thank you.

16 Q. Okay. Take your time to read it.

17 A. Okay. Now could you please restate the question
18 now that I've read it?

19 Q. Sure. Sure. You noted that as a foreign
20 national, she -- she was modifying her behaviors to
21 better fit in with -- without compromising her values.
22 What -- why did you observe that about her, that -- that
23 she would not compromise her values?

24 A. I'm trying to remember this. Something
25 obviously happened that was the way -- she was a

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1 different way, but I do not remember what it was right
2 now.

3 Q. Okay. Now, Ford never asked her to compromise
4 her values in any way, did it?

5 A. Absolutely not.

6 Q. Okay. And that's -- that would be totally
7 unacceptable in the culture at Ford as you've described
8 it; correct?

9 A. Correct.

10 Q. And Ford has a sexual harassment policy, does it
11 not?

12 A. Yes, it does.

13 Q. And do -- do -- in your experience, do people in
14 your group adhere to that policy?

15 A. Yes, we do.

16 Q. Okay. I'd next like to go to the next category,
17 Role Model Ford Values, for which you gave Meng a rating
18 of eight.

19 A. Scroll down, please.

20 Q. Turn to the next page.

21 A. Okay.

22 Q. Okay. And you said Ms. Meng took the One Ford
23 Behaviors to heart even showing the One Ford Behaviors
24 card on her final presentation and underlining the
25 behaviors where she believed she made the most

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1 contributions. Her work and her actions also followed
2 those guidelines. Integrity is important to her. Why
3 did you -- why did you point that out, Mr. Anderson?

4 A. Quite honestly, this -- I'm trying to remember
5 what -- why I said the integrity portion because I truly
6 do not remember, unfortunately.

7 Q. But, nonetheless, you observed that integrity
8 was one of her signature traits?

9 A. And I think it was also on the One Ford Values
10 card, as well, under role model four values. If you
11 look at the top left, it says models, initiative,
12 courage, integrity and good corporate citizenship.

13 Q. I see that.

14 A. Yes.

15 Q. And then it further states under the highly
16 effective categories works to ensure that results never
17 come at the expense of doing the right thing,
18 demonstrates a can-do, find-a-way attitude when
19 confronted with challenges, advocates Ford's company
20 culture and values. Meng met all those high
21 standards --

22 A. Yes, she did.

23 Q. -- is that right?

24 A. I'm sorry. Yes, she did.

25 Q. And then if we could turn to the next category,

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1 Deliver Results, in which you again gave her the highest
2 rating of nine? Correct?

3 A. That is correct.

4 Q. You said: Not only did Ms. Huang deliver on her
5 objectives, she also found issues with one of our other
6 projects. She caught a calibration value and said this
7 doesn't look right. She was correct and then worked
8 with the project engineers to find the correct value.

9 Her end of summer presentation was so good that some
10 slides will be incorporated into other presentations and
11 she sent a -- then I guess -- I guess it's cut off. But
12 I think you've already covered what you meant by those
13 comments, so I don't think I have a further question for
14 you other than did you make those comments about her for
15 this category?

16 A. Yes, I did.

17 Q. Okay. Then it -- the next page is entitled
18 Overall Performance Evaluation. We could turn there,
19 and then it looks like there -- there are a series of --
20 series of ratings that are combined to yield an overall
21 performance score; is that correct?

22 A. That is correct.

23 Q. And Meng was given an overall performance score
24 of 8.5; correct?

25 A. That is correct.

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1 Q. And you signed or -- or affixed the
2 signification of your signature at the bottom of the
3 page; correct?

4 A. I believe so. I cannot see that, so --

5 Q. Okay. If we could scroll down?

6 A. Alright.

7 Q. Okay.

8 MR. LINVILLE: Bruce, it's Ron again. I don't
9 know when a good time is, but at some point, a bathroom
10 break would be appropriate for me.

11 MR. FOX: Ron, I was just thinking the same
12 thing, actually. So, why don't we do that now?

13 MR. LINVILLE: Okay. How long do you want to
14 take?

15 MR. FOX: How long do you need? Five, ten
16 minutes? Whatever --

17 MR. LINVILLE: Five minutes will be fine.

18 MR. FOX: Okay. Very good.

19 (There was a pause in the proceedings.)

20 BY MR. FOX:

21 Q. Okay. So, I just wanted to ask you a few
22 questions about various comments that were made by
23 Professor Rizzoni about Meng. Do you think that Meng
24 was a self-centered and stubborn person based upon your
25 experience with her?

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1 A. In my experience with her, she was not self --
2 not in my -- not in terms of her employment at Ford, no.

3 Q. Was she someone who didn't know how to listen to
4 advice?

5 A. Not when working for me.

6 Q. Was she someone who was deceptive in terms of
7 how she would present herself to people?

8 A. I did not see that.

9 Q. Did you -- do you believe that you had high
10 standards for your requirements for her, Mr. Anderson?

11 A. Yes. Yes, I did.

12 Q. Okay. I'd like to show you what's been marked
13 as Exhibit 126, please.

14 (Exhibit 126 was marked for
15 identification.)

16 THE VIDEO TECH: Counsel, please stand by. The
17 exhibit should now be on the screen.

18 Q. Okay. Let me just ask you first before we begin
19 the exhibit, do you know Lori Herman, Mr. Anderson?

20 A. Yes.

21 Q. What is her position at Ford?

22 A. She works in our university relations
23 organization and one of her responsibilities is dealing
24 with Ohio State.

25 Q. Okay. And is she -- is she close with Professor

1 Rizzoni?

2 A. I think so. I don't know -- yeah.

3 Q. Okay. I just want to show you an email that --

4 the second entry on the -- this first page of the email

5 which is an email from Professor Rizzoni to Lori, Lori

6 Herman, complaining about Meng. He first says:

7 Confidential, please stop paying attention to Meng. Did

8 Lori Herman -- let me ask you this. Did Lori Herman

9 ever tell you about this email?

10 A. No. She did not.

11 Q. Okay. And then it further says: It's not clear

12 to me what she is doing with her life but she is the

13 worst Ph.D. student that I had ever had, not

14 technically, but her attitude is completely wrong. Did

15 Lori Herman ever tell you that Professor Rizzoni had

16 said that about Meng?

17 A. She did not.

18 Q. Further states: She has no business applying

19 for jobs. She has made minimal progress in her

20 research, just enough to keep Dyche happy but way below

21 my standards and there is no way to predict when she

22 till take the Ph.D. candidacy exam. She is a

23 self-centered and stubborn person who does not know how

24 to listen to advice. She also knows how to be very

25 personable. Don't be fooled. Did Lori Herman tell you

1 that Professor Rizzoni had spoken that way to her about
2 his student?

3 A. No, she did not.

4 Q. What -- what -- what is your reaction to seeing
5 these statements about Meng now?

6 MS. CORL: Objection.

7 BY MR. FOX:

8 Q. You can answer.

9 A. I was surprised at seeing this and this was -- I
10 was really surprised at the -- at this email. I do not
11 know what was going on with this or why this note --
12 these notes were written.

13 Q. Where he mentioned that she had made minimal
14 progress in her research and contended that just enough
15 to keep Dyche happy but way below my standards, do you
16 have any idea what -- what he meant by that or whether
17 that's remotely true?

18 A. The first year of any research project is often
19 slow and it was slow, not as fast as we liked that first
20 year of the project. I expect -- I have come to expect
21 that historically. So, this was year -- after year one
22 of the project but it wasn't awful. We were making
23 progress. So, the rest of it I don't know but I can't
24 comment on it.

25 Q. Okay. Does it seem consistent in any way

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1 with -- with -- with your knowledge of Meng based upon
2 your experience with her?

3 A. It does not seem consistent.

4 Q. And do you understand that this -- this email
5 that -- that we're looking at now was part of a thread
6 that arose from Meng's inquiries about a potential job
7 opening at Ford?

8 A. I'm sorry. Say that again, please.

9 Q. Yeah. If you look at the rest of the email --
10 in fairness, maybe we should just scroll down a little
11 bit so you could review the whole email. I just want to
12 ask you it appears to be a thread that was generated as
13 a result of Meng's inquiries regarding job opportunities
14 at Ford.

15 A. Yeah. That's what it appears to be, so I was
16 not aware of this.

17 Q. Okay. And Rizzoni apparently told Lori Herman
18 to stop paying attention to Meng.

19 MR. LINVILLE: Hey, hey, hey, Bruce, it's Ron.
20 I think the witness had said he never saw this before,
21 so I'm going to object to continued questions about it.
22 I mean, if -- you can ask him about the things you've
23 been asking about, but I don't think it's fair to ask
24 him what the parties to the emails meant when he said he
25 never saw them before.

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1 MR. FOX: Okay. Yeah. I didn't intend to ask
2 that. But we can move on. That's fine.

3 (Exhibit 128 was marked for
4 identification.)

5 BY MR. FOX:

6 Q. Okay. Next, I'd like to show you what has been
7 marked as Exhibit 128.

8 MR. FOX: So, if we could put that up on the
9 screen? And then if we could scroll down so Mr.
10 Anderson can read the whole email?

11 Q. And then if you've read that page, Mr. Anderson,
12 we could scroll to the next page for context.

13 MR. LINVILLE: I don't believe you scrolled all
14 the way to the bottom. There you go.

15 MR. FOX: There we go.

16 BY MR. FOX:

17 Q. Okay. Does this email chain make reference to a
18 teleconference?

19 A. Yes, it does. One of our every other week or so
20 project meetings.

21 Q. Okay. And were those referred to as the webex
22 project meetings?

23 A. Yes.

24 Q. And those would occur on a regular basis
25 biweekly?

1 A. Yes.

2 Q. And who would participate in those conferences?

3 A. Professor Rizzoni, Ms. Huang, Mike Beeney and
4 myself.

5 Q. Okay. And then if you read -- if we scroll back
6 to the first page, there's an email from Professor
7 Rizzoni to yourself. Do you recall seeing that email?

8 A. Yes, I do.

9 Q. Okay. And it says in the email: Just between
10 you and me, Meng has been acting strange lately and has
11 been rather out of touch. Do you recall him telling you
12 that?

13 A. Yes, I do.

14 Q. What was your reaction to that contention that
15 Professor Rizzoni made?

16 A. This was news to me, I think, but it was -- when
17 she -- she had been with us until mid -- early to mid
18 August and she took a break, got back, but it was --
19 this was the -- I'm not sure I'm going to answer the
20 question properly but it was just -- you know, my
21 reaction was uh-oh, what's wrong, you know. So --

22 Q. Did you have any conversation with him about
23 this email that you can recall?

24 A. No, I did not, I think, outside of what would be
25 in the email chain.

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1 Q. Okay. Did he -- did he reveal to you at this
2 point or any other point he had been systematically
3 harassing Meng over a period of time?

4 A. No.

5 MS. CORL: Objection. Objection. Assumes facts
6 not in evidence.

7 BY MR. FOX:

8 Q. And you had no idea that he was engaged in such
9 behavior; isn't that correct?

10 MS. CORL: Same objection.

11 BY MR. FOX:

12 Q. You can answer. Counsel for OSU is just stating
13 an objection for the record. You had no idea?

14 A. I was aware of nothing.

15 MR. FOX: Okay. Okay. We can take the exhibit
16 down. Okay. Okay. I'd like to turn next to
17 Exhibit 129. If we could put that up on the screen,
18 please?

19 (Exhibit 129 was marked for
20 identification.)

21 THE VIDEO TECH: Yes, Counsel. Please stand by.

22 The exhibit should now be on the screen.

23 A. I see it. Thank you.

24 Q. Okay. Let me -- before we begin the exhibit,
25 let me ask you were you asked to be on Meng's -- I think

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1 we touched on this a little bit earlier, that you were
2 asked to be on Meng's candidacy exam committee; is that
3 correct?

4 A. Yes, I was. Informally, yes.

5 Q. How did -- tell me about that. How did that
6 occur?

7 A. I think it was in -- earlier in the fall, there
8 was a note that that -- would be on the -- on the
9 committee and Professor Rizzoni indicated that there was
10 some paperwork to fill out. I don't know what it is.
11 But, anyway, I assumed I was on it and I was sent the
12 dissertation to review and I reviewed it and sent that
13 comment -- dissertation proposal -- I'm sorry -- to
14 review. I reviewed it and sent my comments back.

15 Q. Okay. And we'll -- we have that document.
16 We'll get to that a little bit later in the deposition.
17 But you never -- you never in fact were -- were involved
18 in her candidacy exam as it -- as it turned out;
19 correct?

20 A. That is correct.

21 Q. And how -- how did you learn that you were being
22 excluded?

23 A. I -- this -- I -- this is to the best of my
24 recollection but --

25 MS. CORL: Objection. Just one second.

1 Objection. Assumes facts not in evidence. You can
2 answer.

3 MR. FOX: Counsel, please don't interrupt the
4 witness when he's in the middle of an answer. You can
5 state your objection, but please do it before he
6 answers. Please --

7 MS. CORL: Counsel, I'm doing it as quickly as I
8 can with the technology. So, everyone's just going to
9 have to take a deep breath and be a little patient.

10 BY MR. FOX:

11 Q. Mr. Anderson, would you like the question read
12 back?

13 A. Please.

14 (The record was read back by the court
15 reporter.)

16 Q. Let me restate it. Let me restate the question,
17 then. Did you learn you were being excluded from the
18 candidacy exam?

19 A. I was never invited to the candidacy exam. I am
20 trying to recall more details than that but --

21 Q. Okay. How did -- how did you learn that Meng
22 had taken the candidacy exam in your absence?

23 A. She was -- she had told me that -- and both she
24 and Professor Rizzoni had told me when -- that her exam
25 was coming up, and the exam itself, that's up to the

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1 university whether I'm there or not. So, it's not
2 necessarily a horrible big deal to me, and then I was
3 told and I wished her the best of luck and then I found
4 out the results the following -- the following -- the
5 following week. We had to reschedule some meetings
6 because of our preparation. So --

7 Q. Okay. How did you find out the results?

8 A. I received an email from Professor Rizzoni.

9 Q. Okay. Okay. I'd like to return to Exhibit 129
10 and I'd like you to review it. So, if we could scroll
11 accordingly through the document, you can let us know
12 when -- when the technical assistant should scroll
13 forward after you've read a certain portion we -- to get
14 through the document. That would be helpful.

15 A. So, can we go bottom up? It might be easier.

16 Q. Sure.

17 A. Yeah.

18 Q. Yep.

19 A. Okay. You can scroll up, please. Okay. You
20 can scroll up, please. Okay. Scroll up, please.
21 That's a repeat. Scroll up, please. Okay. Scroll up,
22 please, if there's any more. Is that it? Okay. Okay.
23 That looks like it.

24 Q. Okay. And this email chain begins with
25 Rizzoni's email to you dated November 15, 2017, and was

1 that after a webex meeting that Meng did not attend in
2 Rizzoni's -- with Professor Rizzoni in his -- in his
3 private office; do you know?

4 A. That was the day after a meeting. Because these
5 were teleconferences and not with video, I would never
6 have any idea whether they were in the same room or
7 separate rooms, but it was the day after a meeting and
8 both were present in the meeting.

9 Q. Okay. And were you aware or -- or -- or did you
10 become aware that he would take the opportunity to grope
11 her during these meetings?

12 A. I would have no idea whether anything like that
13 happened or not. It was only on -- these were only tele
14 -- these were only on audio.

15 Q. Okay. And do you recall any -- any of these
16 webex meetings where there -- there was any kind of
17 expression of -- of -- of concern by Meng or where --
18 where she indicated her -- her -- her fear and just --
19 just general discomfort with what was going on in these
20 meetings?

21 A. She never indicated that to me directly in those
22 terms.

23 Q. Okay. Were you -- do you recall any webex
24 meetings where there was any outbursts by Meng?

25 A. Yes, I do.

1 Q. Okay. Tell -- tell me about that.

2 A. That was --

3 Q. First of all, when did that happen?

4 A. That was this week. I believe it was on the
5 14th but -- of November and there was an outburst in the
6 meeting very severe by Ms. Huang to the point where Mike
7 Beeney and I were in a small conference room, we muted
8 our -- we just muted our -- our voice and just sat back
9 for a while until things settled down. It was quite --
10 it was quite a strong outburst. I do not remember all
11 the details anymore, but it was a severe -- it was a
12 major outburst.

13 Q. Okay. Do you recall that Meng was
14 extraordinarily upset and -- and that was -- was
15 apparently expressing it at that time?

16 A. That would be the -- what we would indicate from
17 the way she was yelling, yes.

18 Q. Okay. Was this your first sense that something
19 might be amiss between her and her -- her Ph.D. advisor
20 Professor Rizzoni?

21 A. We knew that something might be going on in the
22 relationship. We didn't know what because since she --
23 after the internship that was beginning with the note
24 you mentioned earlier on the 4th, we sensed something
25 was wrong, but we had no idea of any magnitude, the

1 issue, why it was such a way.

2 Q. Okay. Prior to this incident, have you ever
3 seen Meng behave in any way that was uneven or emotional
4 or anything like this which you experienced or which you
5 heard during this call?

6 A. Not like that, no.

7 Q. This was completely out of character based upon
8 your experience with her --

9 A. Exactly.

10 Q. -- is that correct?

11 A. Yes. That's correct. Based on my experience,
12 she was -- yes, that's correct.

13 Q. Do you remember anything that was said by anyone
14 on the call?

15 A. Not now, no.

16 Q. Do you remember if she was really expressing
17 her -- her opposition to being forced to meet with
18 Rizzoni in -- in -- in his private office?

19 A. I do not remember directly, no.

20 Q. Okay.

21 A. I can't remember what the reason was anymore.

22 Q. Okay.

23 A. Yeah.

24 Q. Okay. So, returning to Exhibit 129, if we
25 could -- if we could scroll to the beginning of the

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1 email which is the last page? Okay. This is an email.
2 I really -- I really don't want to read it into the
3 record, but this is an email where Professor Rizzoni is
4 complaining to you that Meng's behavior is inexcusable
5 and -- and he goes on and suggests that she was refusing
6 to meet with him. Do you see that?

7 A. Yes, I do.

8 Q. Okay. Does that refresh your recollection at
9 all as to -- as to what Meng's position was at this
10 point in the relationship about private meetings with
11 Rizzoni?

12 A. Yes, I do. I believe she said she did not and I
13 think that's -- I believe she said she did not want to
14 be alone with Professor Rizzoni in his office on --
15 especially on Sunday -- on Sundays.

16 Q. Okay. And in -- in -- in response to Rizzoni's
17 email, did you -- did you talk to your wife?

18 A. Yes, I did.

19 Q. Okay. And --

20 A. Pardon me. Not in response to this email. In
21 response to the -- after the outburst that evening, said
22 boy, we had an outburst today and then we talked about
23 that. It was not a response to this email. It was in
24 response to the meeting itself.

25 Q. Okay. And did -- did you seek your wife's

1 perspective and -- and opinion as to what might perhaps
2 have happened?

3 A. Yes, I did.

4 Q. And do you think it was good to get a woman's
5 perspective on that?

6 A. My wife was also -- is a woman and a college
7 professor, so it's a double --

8 Q. Okay.

9 A. It's a double thing that she has different
10 opinion, perspective that I do not have. Yeah.

11 Q. Okay. And what -- what -- what did your wife
12 tell you?

13 A. She told me -- I'm trying to remember
14 everything. She -- one was she told me that it might
15 be -- depression might be a cause, and the other one,
16 she said that she could see why a woman might not want
17 to be alone with a professor in his office on a -- on a
18 -- on a Sunday morning.

19 Q. Okay. And did -- did you then transmit her
20 comments to Professor Rizzoni?

21 A. I believe that's above -- the page above that,
22 yes.

23 MR. FOX: If we could scroll up, please, to the
24 next-to-the-last page of the exhibit?

25 A. Go back down. Can you scroll down a couple more

1 lines, please? Thank you.

2 Q. Okay. So, in sending this email, were you
3 diplomatically trying to suggest to Professor Rizzoni
4 that you understood what Meng's concerns might be?

5 A. I was saying on this these are my wife's
6 comments. First I had the -- the first portion would
7 have been based on the outburst and I had no idea there
8 was other kind of tension or what was later, you know,
9 at the time, but I was -- you know, that was -- I --
10 that was not considered professional behavior. So, that
11 was the behavior on that first point. The other two, I
12 was -- were my wife's comments and plus some additional
13 on my own on the -- on the depression side.

14 Q. Okay. And you mentioned your personal
15 experience that you described in the email that was --
16 was very, very, very distressing?

17 A. Yes, it was.

18 Q. Okay. And I just want to return -- so, if -- if
19 we could go to the first page? Was it your
20 understanding that Professor Rizzoni could decide
21 whether and when Meng could graduate?

22 A. That is pretty much the way it worked with the
23 graduate students is that the advisor has to be happy
24 with everything.

25 Q. Okay. And did -- did you understand that there

1 was a significant power differential based upon your
2 observations and knowledge of the relation -- between
3 Professor Rizzoni and Meng?

4 A. Any power differential would be just as exists
5 with any graduate student and his or her advisor. There
6 is that kind of control.

7 Q. Okay. Now, did Rizzoni say -- if we could just
8 turn to the last paragraph of his email to you, did he
9 say that as long as Meng acted respectfully and took
10 advice from him, that she could graduate?

11 A. That's what the email seems to say, yes.

12 Q. Okay. That didn't happen, did it, the part
13 about him allowing her to graduate?

14 A. She was -- after she failed the candidacy exam,
15 she was dropped from his -- he was no longer her -- he
16 was no longer her advisor. That was --

17 Q. Okay. Just to skip ahead a little bit, did --
18 did he talk to you about his -- did he talk to you --
19 did you have any personal conversations with Professor
20 Rizzoni about his dropping Meng from the Ph.D. program
21 and failing her on the candidacy exam?

22 A. The candidacy exam, I believe, was on a Friday.
23 I found out on Monday. I found out on Monday, and then
24 that Wednesday, he was in Dearborn for a meeting of the
25 CAR consortium and we had already previous -- already

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1 set up that we wouldn't be able to discuss for a while,
2 he told me some things, he told me that, and then we
3 were -- that week, that Wednesday the -- I believe it
4 was December the 13th.

5 Q. Okay. Do you -- do you recall what he -- what
6 he told you when you said he told you some things about
7 this?

8 A. Well, he handed me the comments of the various
9 professors in terms of their -- the email, he handed me
10 the pieces of paper, the email, the comments of the
11 other professors on the committee of her performance on
12 the candidacy exam.

13 Q. Okay. What -- what did he say? Do you recall
14 anything he said or --

15 A. I'm trying to recover too much. I was --
16 because of -- I don't remember everything he said that
17 day.

18 Q. Okay. That's fine. Do you remember any -- any
19 later discussions you -- you had with him about -- well,
20 let me ask you this. Did he -- did he discuss with you
21 at that point why -- well, let me ask you this first.
22 Did you understand that he refused to let Meng take the
23 candidacy exam a second time?

24 A. That was part of the discussion. I -- I was
25 told by -- I can't remember whether it was Ms. Huang who

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1 told me that on Monday I think first. I could be wrong.

2 Q. Okay. Did he reveal to you at that time that he
3 was violating OSU policy in taking that position?

4 A. I had no idea what OSU policy was on that. He
5 didn't --

6 Q. Had you ever heard of a candidate -- a Ph.D.
7 candidate being denied the opportunity to retake a
8 candidacy exam?

9 MS. CORL: Objection.

10 A. I'm so rarely in that environment that I
11 wouldn't know what policy was.

12 BY MR. FOX:

13 Q. Okay. Fair enough. And then just to skip
14 ahead, did you have any further direct conversations
15 separate from email with Professor Rizzoni about --
16 about the subject of Meng's continuation in the Ph.D.
17 program?

18 A. That was the last time I spoke with him until he
19 came back in April.

20 Q. Okay. And when did that conversation occur?

21 A. The conversation on the 13th of December which
22 was when he was in Dearborn. I did not speak to him
23 again until -- until April or May.

24 Q. And then -- then when you spoke with him in
25 April or May, did you remember what that conversation

1 was?

2 A. It was strictly on the project. We never spoke
3 about this incident ever again.

4 Q. Okay. Did -- was the project reassigned to
5 someone else?

6 A. Yes, it was.

7 Q. And who was involved in that decision?

8 A. Professor Rizzoni.

9 Q. Okay. That was -- that was his decision?

10 A. Yes.

11 Q. Who -- who was it assigned to? Do you -- do you
12 recall?

13 A. Kaveh I mentioned earlier and I'm trying to
14 remember his last name -- I can look it up -- but then
15 there's another post doc who came in briefly to assist,
16 as well, but it was mainly Kaveh.

17 Q. Okay. Was the project completed?

18 A. Yes, it was.

19 Q. And it was -- it was completed based upon the
20 foundational work that Meng had done?

21 A. No. They started over.

22 Q. Okay. Why -- why did they start over?

23 A. The other graduate student had done some -- I
24 don't know all the reasons why. I was never told. But
25 I believe it was in part because the other graduate

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1 student had done some similar kind of work for lead acid
2 batteries in cars and so he repeated his research
3 direction on -- for -- for this battery.

4 Q. Okay. And was -- did -- did you talk to Meng
5 about her -- her feelings about being kicked off this
6 project that she had devoted herself to?

7 A. She was obviously not happy about it and she was
8 trying to seek to continue her research with a different
9 advisor.

10 Q. Okay. And why was she not happy about it?

11 What -- what did she tell you as best you can recall?

12 A. There was issues on whether she would be able to
13 get her documents from what she had previously done.
14 I'm trying to remember all the details but it was --
15 there were details in terms of who -- would she be
16 allowed to have the access to the work at -- with a
17 different advisor.

18 Q. Okay. Did you -- did you ever take any position
19 on -- on behalf of Ford that you didn't want her having
20 access to anything -- any of her work or any data
21 related to the work?

22 A. I did not. The direction would have come from
23 our university programs office.

24 Q. Do you know if any -- any such direction came --

25 A. I believe --

1 Q. -- actually came?

2 A. Yes. I believe there was an email saying that
3 -- then go back up -- that -- that we had no objections
4 to it.

5 Q. Okay. You -- you had no objection to Meng
6 continuing with -- with having access; correct?

7 A. That is correct.

8 Q. So, to your knowledge, Rizzoni -- Professor
9 Rizzoni was the only one standing in her way as best as
10 you can recall?

11 MS. CORL: Objection. You can answer.

12 A. As best as I can recall but --

13 Q. Okay. You know, now -- now might be a good
14 time -- since I do have a fair number of exhibits -- let
15 me say this. I don't think this is going to be all day.
16 I don't think so. I think, you know, we can probably
17 wrap it up in another -- no more than an hour and a
18 half, maybe two hours max, but I think it might be a
19 good time just to take a short lunch break, if that's
20 alright with you, Mr. Anderson. Whatever amount of time
21 you like.

22 A. Lunch breaks are never a problem for me.

23 Q. Okay.

24 MR. LINVILLE: Half hour?

25 A. Yeah.

1 MR. LINVILLE: We'll see you back at 12:30.

2 (There was a pause in the proceedings.)

3 (Exhibit 130 was marked for
4 identification.)

5 MR. FOX: Okay. I would like to start off with
6 Exhibit 130. So, if that could be put up on the screen?
7 It's a one-page document.

8 THE VIDEO TECH: Yes, Counsel. Please stand by.

9 The exhibit should now be on the screen.

10 BY MR. FOX:

11 Q. Okay. If you could just take a moment to review
12 this exhibit, Mr. Anderson?

13 A. Okay.

14 MS. CORL: Bruce, can you say the Exhibit number
15 one more time?

16 MR. FOX: Sure. It's 130 and it's Bates stamped
17 Huang 415.

18 A. I'm ready any time, so --

19 BY MR. FOX:

20 Q. Okay. Okay. So, the email -- this is an email
21 from Professor Rizzoni to Meng and you're copied on it
22 along with Mike Beeney. Do you recall seeing this email
23 before?

24 A. Yes, I do.

25 Q. Okay. And it makes reference to the first line

1 that says: Dyche and I had a good conversation today.
2 I filled him in on the plan for your dissertation and
3 candidacy exam I sketched out last September 10th and we
4 discussed it in some detail. Let me read on. We both
5 concur that the plan is viable. I also sent Dyche a
6 copy of your first draft of the dissertation proposal
7 and I look forward to seeing his comments and
8 suggestions. Do you -- do you recall the conversation
9 that you -- you had with Professor Rizzoni that's being
10 referred to there?

11 A. Vague. I remember having conversation about it
12 a little bit, yes.

13 Q. Okay. Do you recall that he filled you in on
14 the plan for Meng's dissertation and her candidacy exam?

15 A. Yes, I do.

16 Q. And did you discuss it in some detail?

17 A. We discussed the dissertation plan more or -- if
18 I remember correctly, he had a whole bunch of stuff on
19 the board that we should talk about technically.

20 Q. Okay.

21 A. Yes.

22 Q. Okay. And did -- did you -- did you and Rizzoni
23 concur that the plan for Meng's dissertation and
24 candidacy exam was viable?

25 A. Yes.

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1 Q. And did you supply -- or did -- did you receive
2 a copy from Rizzoni of the first draft of the
3 dissertation proposal as indicated here?

4 A. Yes, I did.

5 Q. Okay. And did you then review the dissertation
6 proposal?

7 A. Yes, I did.

8 Q. And did you make comments about it?

9 A. Yes, I did.

10 (Exhibit 132 was marked for
11 identification.)

12 MR. FOX: Okay. Let's turn to -- skip ahead to
13 Exhibit 132. If you could put that up?

14 THE VIDEO TECH: If Counsel could stand by?

15 MR. FOX: Sure.

16 THE VIDEO TECH: The exhibit should now be on
17 the screen.

18 BY MR. FOX:

19 Q. Okay. Exhibit 132 is a one-page document Bates
20 stamped OSU 18602. This appears to be an email exchange
21 between yourself and Meng. Do you recall this email
22 exchange?

23 A. Yes, I do.

24 Q. Okay. And you had indicated in your below email
25 that you -- you -- you had reviewed -- you had received

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1 Meng's dissertation proposal and you -- you were
2 attaching your comments; correct?

3 A. That is correct.

4 Q. And you said there: My comments are attached.
5 Pretty much all minor, some very picky. In general, I
6 felt it was good. Was -- was that true?

7 A. I felt that with my caveat that I wrote there,
8 yes.

9 Q. Okay. And you said in your caveat note that:
10 I'm not familiar with the OSU requirements for
11 dissertation proposal so some of my comments may not be
12 applicable?

13 A. Uh-huh.

14 Q. And you copied Professor Rizzoni on that; right?

15 A. I did.

16 Q. And he never suggested to you that any of your
17 comments were inappropriate or inapplicable, did he?

18 A. Not that I recall.

19 Q. Okay. And I'd like to next show you
20 Exhibit 133.

21 (Exhibit 133 was marked for
22 identification.)

23 THE VIDEO TECH: Please stand by.

24 MR. FOX: Will you put that up on the screen?

25 THE VIDEO TECH: The exhibit should be on the

1 screen.

2 MR. FOX: Okay. Can we just scroll through
3 quickly so the witness can see the whole document?

4 Q. Okay. Does Exhibit 133 represent your written
5 comments on Meng's dissertation proposal?

6 A. It represents my comments and her response to
7 them in the italics.

8 Q. Okay. And you state at the very beginning: In
9 general quite good, I believe all my comments are minor;
10 correct?

11 A. Correct.

12 Q. And did you review -- it looks like Meng -- Meng
13 carefully responded to each of your comments, did she
14 not?

15 A. That's what it looks like, yes.

16 Q. And do you recall that you reviewed her
17 comments?

18 A. I believe I did.

19 Q. Okay. Do you think they were good comments?

20 A. I think they were good comments. Sometimes she
21 made changes, sometimes she didn't. Yeah.

22 Q. Okay. Are you aware if Professor Rizzoni ever
23 prepared any -- any written comments like -- like you
24 did in response to Meng's dissertation proposal?

25 A. I would -- I can only assume he did. That would

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1 be between the professor and his student, so I wouldn't
2 be copied.

3 Q. Okay.

4 A. Yeah.

5 Q. But you don't recall seeing any -- anything in
6 writing from him?

7 A. No, I did not.

8 Q. Alright.

9 A. Yeah.

10 Q. Okay. Did you have any -- any further
11 discussion with Meng after she supplied her -- her --
12 her responses to your comments?

13 A. I don't recall whether I did or did not.

14 Q. Okay. Then I'd like to show you Exhibit 134.

15 (Exhibit 134 was marked for
16 identification.)

17 THE VIDEO TECH: Please stand by. The exhibit
18 should now be on the screen.

19 BY MR. FOX:

20 Q. Okay. Exhibit 134 is a one-page document Bates
21 stamped Ford 511.

22 A. Could we scroll down to see the beginning,
23 please? Oh. That's it. Okay.

24 Q. Yeah. That's it. So, this is an email exchange
25 in which you emailed Meng on December 6, 2017 and said:

1 Meng, Giorgio tells me your candidacy exam is this
2 Friday. I'm sure -- I'm sure you don't need it but I
3 wish you the best of luck; correct?

4 A. Correct.

5 Q. Okay. And Meng responded saying: Hi, Dyche.
6 Thank you. Sorry about yesterday. I totally forgot we
7 had this one-time webex scheduled out of regular hour.
8 I thought my only webex this week was with Mike this
9 afternoon. I just texted him and we will talk in around
10 one hour. This is now the end of the semester and
11 everything's getting crazy, so I sometime will be out of
12 reach given that I do not sit in front of my laptop and
13 check emails all the time. So, please, please, do not
14 take this absent thing personally. We will talk soon.
15 Do you recall receiving that email from Meng?

16 A. Yes, I do.

17 Q. And were you -- were you -- were you happy with
18 her explanation?

19 A. Yes, I was. I -- could you scroll up, please?
20 Am I missing something? Okay. That's it. When the
21 graduate student is getting ready for candidacy exams, I
22 understand and -- I understand this kind of stuff. Yes.

23 Q. Okay. And let me ask you this. You were
24 wishing her luck. That was a kind gesture. But did you
25 really think she needed much luck to pass this candidacy

1 exam?

2 A. No, I did not.

3 Q. Okay. What -- what -- so, after -- after you
4 sent this, what -- what was your next news about Meng
5 and the candidacy exam?

6 A. That would have been on -- I believe on Monday,
7 December 11th when I received an email from Professor
8 Rizzoni saying that she had not passed it. I think that
9 is correct.

10 Q. And were -- were you surprised when -- when you
11 saw that email?

12 A. Yes, I was.

13 Q. Why was that?

14 A. Based on her performance especially in the
15 summer with me, I saw no reason why technically she
16 would not be able to pass the candidacy exam, but then
17 again, I wasn't there, so, you know.

18 Q. Okay.

19 A. Yeah.

20 Q. Did you then have a discussion with -- with Meng
21 about Rizzoni's treatment of her?

22 A. So, when you say then, do you mean after I found
23 out her -- the result of the candidacy exam?

24 Q. Yes. Subsequent to that.

25 A. Yes. She called me on the -- she called both

1 Mr. Beeney and myself on the afternoon of the 11th and
2 that's when she mentioned -- that's when she started
3 talking about the relationship.

4 Q. Okay. And how long was your conversation with
5 her?

6 A. It was quite long. I'm guessing at least an
7 hour.

8 Q. Okay. And we have some email reporting on that
9 and I'll get into that, but, you know, just want to ask
10 what -- what you remember like about the conversation
11 starting with what -- what was -- what -- what was your
12 perception of her emotional state when you had this
13 conversation with her?

14 A. If I recall correctly, she was in tears most of
15 the time.

16 Q. And what -- what did she tell you generally?

17 A. That's when she told me she was -- in that
18 conversation that she was being sexually harassed.

19 Q. And did -- did you try to provide her with
20 comfort and support?

21 A. I tried to, yes. I mean, she told me I was like
22 the father figure, that she couldn't tell -- I -- now,
23 forgive me if I -- we had conversations two days in a
24 row. I may forget which one is in which day. But at
25 some point, she told me that she was ashamed to go back

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1 to China without a degree and that she couldn't tell her
2 parents because if she did, her father would come and
3 confront him, and so we had -- we had -- we had a long
4 talk. She -- part of it was a shoulder to cry on for
5 her, but we had some very long talks both days.

6 Q. Okay. Were you deeply affected by your
7 conversations with her?

8 A. I was stunned that -- I had no idea there was
9 any -- that was the first I heard of any allegation of
10 sexual harassment.

11 Q. Okay. Did you believe her?

12 A. I didn't know what to believe. I -- she felt --
13 sounded believable, yes.

14 Q. Okay. And did you prepare, then, a report to
15 anyone about her based upon your conversations with her
16 about her being harassed?

17 A. After the phone con -- our telephone
18 conversation, I immediately contacted Ford human
19 resources and personnel employee relations to see what I
20 should do. Since I knew that she had been a Ford
21 employee, I would have to report it. So, I asked them
22 what I should do and they recommended that I report it
23 and tell her what to do, so -- and then I did report it
24 the next day.

25 Q. Okay. And did you report it in -- in -- in a

1 recitation -- in an email?

2 A. In an email to Ohio State. I looked up the
3 email address online.

4 Q. Okay. And then I'll get into that email next,
5 but did Ford conduct any of its -- did it conduct its
6 own investigation of any kind after that?

7 A. No. There was no reason for Ford to.

8 Q. Okay. So, I'd like to show you what --
9 actually, I'd like to show you Exhibit 136.

10 (Exhibit 136 was marked for
11 identification.)

12 THE VIDEO TECH: Please stand by. The exhibit
13 should now be on the screen.

14 BY MR. FOX:

15 Q. Okay.

16 A. Okay.

17 Q. I'll let you scroll through this.

18 MR. LINVILLE: There's more to the exhibit. You
19 need to scroll all the way to the bottom.

20 BY MR. FOX:

21 Q. Okay. Have you had a chance to review it, Mr.
22 Anderson?

23 A. Yes, I have.

24 Q. Okay. And is this an email exchange that --
25 that you had with Meng right after your discussions with

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1 her?

2 A. It was right after my discussions with human
3 resources. The day, time, if you can scroll up, please,
4 see the date -- the timestamp on that.

5 Q. Yep.

6 A. Okay. So, that would have been Tuesday, and so
7 I would have had to go to human resources and get their
8 response, and that, of course, takes time, and then get
9 back to her and then do some digging on my own, and so
10 it took -- we talked Wednesday -- I talked with her on
11 Monday afternoon, and then Tuesday morning I went -- I
12 started all this process.

13 Q. Okay. And in the email, you -- you -- you
14 supplied information to Meng, and in bullet points on
15 the first page, you conveyed that she needed to report
16 the behavior to the appropriate university place and you
17 further conveyed that it's illegal to retaliate against
18 someone for making such a complaint, et cetera; correct?

19 A. Correct.

20 Q. And you conveyed to her that your personnel
relations person suggested that you do some digging and
that you would point her to the proper places on campus
and that you offered to report it -- report the
misconduct if she didn't want to; isn't that correct?

25 A. And that's -- it's almost correct. I said I

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1 would do it period because after we had discussion, so
2 that was -- I did.

3 Q. Okay. And then you also forwarded to her some
4 excerpts from OSU's relevant policies governing sexual
5 harassment; correct?

6 A. Correct.

7 Q. And you obtained them from the -- the OSU
8 website?

9 A. Correct.

10 Q. And you also forwarded to her a section
11 regarding confidentiality; correct?

12 A. I believe so, yes.

13 Q. And retaliation, as well? Correct?

14 A. Correct.

15 Q. And was that in reaction to Meng's informing you
16 that she was concerned about Rizzoni retaliating against
17 her if this were reported?

18 A. I'm trying to remember whether she -- whether
19 the retaliation was in there based on what she told me
20 or that's simply part of the section.

21 Q. Okay. And you -- you had offered to talk to her
22 at the conclusion of the email, gave her some available
23 times, and you also gave -- gave her your cell phone
24 number, and then you indicated in the first line of the
25 email you had canceled a 3:30 meeting and you said so

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1 whenever's convenient for you. Did you then talk to her
2 after you sent this email?

3 A. Yes, I did.

4 Q. And was that -- was that the second conversation
5 you had with her?

6 A. Yes, it was.

7 Q. Okay. Do you recall any -- anything specific
8 about that conversation?

9 A. This is when she told me that she had gone to
10 the department chair on behalf of the engineering
11 department to report the issue and that you needed to
12 call in human resources or the appropriate parties to go
13 on from that. Again, it was a very long conversation,
14 at least an hour so -- and she was again in tears much
15 of the time and very, you know, despondent. So --

16 Q. Okay. And did -- she didn't say anything that
17 gave you any reason to doubt that what she was saying
18 was true, did she?

19 A. No, she did not.

20 Q. Okay. And then I'd like to next show you
21 Exhibit 137.

22 (Exhibit 137 was marked for
23 identification.)

24 THE VIDEO TECH: Please stand by. The exhibit
25 should now be on the screen.

1 A. Uh-huh.

2 MR. FOX: Okay. If we could just scroll
3 through, please, so the witness can see the context of
4 the document?

5 A. Can you stop there, please? Okay. Next page,
6 please? Scroll down a little more, please. Okay. Is
7 there any more or is that it? Oh. There's a little
8 more.

9 Q. Yeah. That's the end of the document.

10 A. Okay.

11 Q. Okay. Can you identify this document, Mr.
12 Anderson?

13 A. Yes. This is the email I sent to the Ohio State
14 sexual harassment office or whatever it's called.

15 Q. Okay. What did you do to compile the content of
16 the email?

17 A. Those are the emails that I had received from
18 either -- either sent or received from Dr. Rizzoni or
19 Ms. Huang in the preceding couple of months plus the --
20 my records of the -- from two days of telephone
21 conversations with her which would have been my mental
22 notes.

23 Q. Okay. And then did -- did you relay as best as
24 you could the content of your telephone conversations
25 with Meng?

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1 A. The best -- best of my ability, yes.

2 MR. FOX: Okay. And then at the bottom of

3 page 4, if we could turn there? Next-to-last page.

4 Yeah. If we could just scroll down to the bottom of the
5 page?

6 Q. Okay. I just want to ask you about the last --

7 the very last line on the -- last two lines on the page.

8 A. Okay.

9 Q. Ms. Huang was an outstanding employee this
10 summer. Her final presentation which all interns give
11 was so good that my manager asked me in our review,
12 quote, when do we hire her, unquote. Who was -- who was
13 the -- who was your manager who asked you that question?

14 A. Mr. Chris Davey.

15 MR. FOX: Okay. And then if we could just
16 scroll into the next page, the final page?

17 Q. And I just want to ask you about the second
18 paragraph there where you said: I also believe Ms.
19 Huang may be in need of counseling due to the stress of
20 this incident but may be too proud to seek help. Why
21 did you make that observation?

22 A. She had been in tears for a better part of three
23 hours of phone conversations over two days and very --
24 very -- as I recall, she was -- you know, she was very
25 down after being told she failed the candidacy exam.

1 So --

2 Q. Okay. And you -- and you said you thought she
3 may be too proud to seek help. Do -- do you recall
4 what -- what that was based upon?

5 A. Common for many people to feel that way
6 including myself.

7 Q. As you mentioned -- as you mentioned before?
8 Correct?

9 A. Yes.

10 Q. Okay. And you understood her to be a person of
11 a -- from a different culture that may have affected
12 her -- her desire to seek help?

13 A. That is correct.

14 Q. Now, what happened after you sent this report to
15 sexualharassment@osu.edu?

16 A. We were contacted after the holidays. We had a
17 discussion with OSU which -- telephone conversation
18 following up on this. I believe it was January the 4th
19 was the following -- followup conversation.

20 Q. Okay. With whom did you speak on January 4th?

21 A. If I -- if I recall correctly, it was Mr.
22 Jonathan Perry from Ohio State, there may have been
23 another person on the line, and I was in the office of
24 the Ford employee relations person.

25 Q. Who -- who was that? Do you recall?

1 A. Chris -- yeah. I know. The question is
2 pronouncing his last name. Basmadjian or something like
3 that. It should be in one of my notes, but, yes, Chris
4 Basmadjian, is the closest I can come, I can say it.

5 Q. Okay. By the way, did anyone -- did -- did you
6 or Mr. Basmadjian take notes of that call?

7 A. I did not.

8 Q. Okay.

9 A. I do not know about -- I do not know about Mr.
10 Basmadjian.

11 Q. Okay. How long did the -- how long did the call
12 last?

13 A. I'm trying to recall. I would be guessing in
14 the order of an hour, but that's just a guess.

15 Q. Okay. And were -- were you asked if -- if -- if
16 you would consent to recording the call?

17 A. I do not recall that either way.

18 Q. If you had -- if you had been asked if you would
19 consent to recording the call, would you have had any
20 problem with that?

21 A. I would have asked Mr. Basmadjian for what Ford
22 policy would have been on that.

23 Q. Okay. Assuming there was no policy prohibiting
24 it, you would have been okay with that personally?

25 A. I would have been okay. Yes.

1 Q. Okay. What -- what -- what questions do you
2 recall Mr. Perry asking you?

3 A. I'm having a problem with remembering that.

4 Q. Okay. Did he ever ask to meet with you in
5 person?

6 A. No, he did not.

7 Q. Did he ask you any questions about your overall
8 view of Meng as you've described in this deposition?

9 A. I'm trying to remember. I was quite sick at the
10 time so -- it turns out, so I don't remember.

11 Q. Okay. Was there any followup by him after that?

12 A. That was the last I heard. That was the last I
13 heard. So --

14 Q. Okay.

15 A. But there may have been a followup email saying
16 thank you for your time or something like that but
17 nothing -- nothing besides that.

18 Q. Okay. So, nothing really stands out in your
19 mind about -- about the interview?

20 A. No.

21 Q. Okay. Would you have been willing to meet with
22 him personally if -- if -- if he would have requested
23 it?

24 A. Yes.

25 Q. You thought that the matter was of that level of

1 significance --

2 A. You had --

3 Q. -- meet with him?

4 A. Yes.

5 Q. Okay. Now, did -- did you have further
6 interactions with -- with Meng?

7 A. After that, we had very occasional
8 communications. She would -- she would not talk about
9 the case which is good, but she would occasionally talk
10 about how are you doing or about employment
11 opportunities at some point.

12 Q. Okay. Did she try to reach out to you about
13 continuing her -- her research with -- with you?

14 A. Yes, she did, and I told her, I said in this
15 note that would be very difficult -- or the previous
16 note, I believe, it was very, very difficult based on
17 the fact that the contract was with Professor Rizzoni
18 and not with -- not with her.

19 MR. FOX: Okay. Let's -- if we could turn to
20 Exhibit 138, please?

21 (Exhibit 138 was marked for
22 identification.)

23 THE VIDEO TECH: Yes. Counsel, please stand by.
24 The exhibit should now be on the screen.

25 MR. FOX: Okay. If we could just scroll through

1 the exhibit a little bit?

2 A. Okay. Go back. Can you stop there for a
3 minute? Okay.

4 BY MR. FOX:

5 Q. Okay. This Exhibit 138 appears to be an email
6 exchange between you and Meng. Alex Bartlett appears to
7 be copied on the first email. Did -- did -- if we look
8 at the email beginning -- the chain at the beginning of
9 the bottom of the first page, it's an email from -- from
10 Meng to you informing you that OSU MAE department has
11 provided me funding and supported me to continue my
12 research based on the results I've achieved over the
13 years, et cetera, and then she further advised you that
14 CAR is currently holding my work station with the
15 research resources. Do you see that?

16 A. Yes, I do.

17 Q. And she further states that the acting director
18 of CAR, Maryn Weimer, alleged that Ford owns the model
19 during a meeting last Friday 26 -- January 26, 2018, and
20 she says I am informed that CAR will not give back my
21 access to the work station with the data model before
22 the IP issue is clarified from the Ford side. Then she
23 goes on. But then you responded to her email, did you
24 not?

25 A. Yes, I did. Scroll up. Okay.

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1 Q. Do you recall responding to her?

2 A. I'm trying to remember whether I responded or
3 whether I forwarded it over to the university programs
4 office for a formal response on the issue. Based on the
5 nature of the business, I may have had -- that question
6 may have had to go through them.

7 Q. Okay. You didn't do anything to block her
8 request for access, did you?

9 A. Oh, no. That was -- no.

10 Q. Okay. Do you recall having any communication
11 with Maryn Weimer on this?

12 A. I do not believe I did.

13 Q. Okay. Do you -- do you -- do you know who she
14 is or do you recall having any conversation with her?

15 A. No, I do not. No. No, I don't.

16 (Exhibit 140 was marked for
17 identification.)

18 MR. FOX: Okay. Okay. I'd like to turn to
19 Exhibit 140. And if we could just scroll through this
20 so the witness has time to read it? Maybe starting from
21 the -- backwards working forwards.

22 A. That's the same email. If you would scroll up,
23 please? Okay. Some more. Okay.

24 Q. Okay. So, I just want to direct your attention
25 to the second email. This seems to confirm what you

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1 just said. You say: Lori, Meng called me about the
2 issue and I asked her to repeat what she told me in a
3 note. She's being allowed to continue with her research
4 under a different advisor and CAR won't let her get at
5 her computer. Given this, I see no -- I see no reason
6 not to allow her to have the model. Was that your --
7 was that your email?

8 A. Yes, it was.

9 Q. Okay. And then you were advised in response of
10 the email from Lori Herman, the top of the page, not to
11 respond, that she was working with Ford legal and would
12 provide the official Ford response; correct?

13 A. Correct.

14 (Exhibit 141 was marked for
15 identification.)

16 MR. FOX: Then can we just turn to the next --
17 to Exhibit 141? You could scroll down. Scroll through
18 the document a little bit, please. A little more
19 slowly.

20 A. Okay.

21 Q. Okay. Do you recall this email exchange?

22 A. Yes, I do.

23 Q. Okay. Without reading it into the record,
24 what -- what -- what does this email exchange deal with?

25 A. This email does -- as a university -- as an

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1 alliance -- because of the alliance between Ford and
2 Ohio State, work that we fund them Ford owns the
3 intellectual property to. So, because of that and her
4 not working -- no longer working directly on a Ford
5 project, they were at -- Ohio State was -- was making
6 sure it was okay before that information was passed on
7 and Ford said, if I remember correctly, no problem.

8 Q. Okay. And Meng -- Meng was explaining in the
9 email some of the difficulties that she was having with
10 -- with access?

11 A. Yes.

12 Q. And did you -- were you instructed that you --
13 you could not -- could not respond -- comment on the OSU
14 issues and you told her that; right?

15 A. Correct. I was told I could not -- that was a
16 legal issue I could not respond on.

17 Q. Okay. And then Meng just in the first -- if we
18 could go back to the first page, Meng says in -- in her
19 email to you, first paragraph email -- of her email, if
20 you could just read that where she's saying hope all is
21 well, please see Lori -- Lori Herman's reply below, she
22 only copied Ford PR manager Chris Basmadjian and on her
23 reply to me but left you, Mike, Alex, Jim and Ted Miller
24 out of this message. She claimed that she had already
25 responded to Maryn Weimer at OSU CAR on Friday

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1 afternoon, February 2, but it seems that she didn't tell
2 you about this during your talk on -- on Monday,
3 February 5th. Do you recall anything about that, those
4 communications?

5 A. A little bit. Not too much. I'm reading what
6 I'm seeing. That's about it.

7 Q. Okay. And then Meng further in the next
8 paragraph expresses some opinion about CAR's ongoing
9 retaliations against my research as she put it. Do you
10 see that?

11 A. Yes, I do.

12 Q. Okay. But you -- you weren't able to have any
13 further dialogue with her about these issues because you
14 had been instructed not to; correct?

15 A. That is correct.

16 Q. Okay. So, then, I believe you testified earlier
17 that Rizzoni -- after the assault and harassment
18 allegations were reported and investigated, Rizzoni came
19 back to OSU and you resumed some dialogue with him?

20 A. Yes. We were starting the project over again.

21 Correct.

22 Q. Okay. And he acted like nothing had ever
23 happened; right?

24 A. He never talked about -- he said that one note
25 which was shown earlier where he says he never wanted to

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1 talk about it again and he never talked about it again.

2 Q. Okay.

3 A. Yes.

4 Q. Did you later work with him on any projects
5 after that?

6 A. It's kind of weird that I am at the request of a
7 manager and the secondary investigator on an active
8 project but I haven't been able to participate much in
9 the project at all. So, I guess, no, not active
10 participation, no, but officially, yes.

11 Q. Okay. Do you have any knowledge of who -- who
12 Rizzoni's Ph.D. advisees are now?

13 A. Right now?

14 Q. Yes.

15 A. No, I do not.

16 Q. Or during -- since the time that -- since 2017?

17 A. The only ones I could name by name what we
18 talked about earlier are Kaveh -- and again I apologize
19 for forgetting his last name -- and then Ms. Huang.
20 Yeah.

21 Q. Would it -- would it surprise you to know that
22 Rizzoni continued to actively recruit young women from
23 China after -- after he was reinstated?

24 MS. CORL: Objection. Assumes facts not in
25 evidence.

1 MR. FOX: Okay. Let me -- I'll withdraw the
2 question. I'll withdraw it.

3 BY MR. FOX:

4 Q. I believe that you testified earlier that based
5 upon your -- your experience with Meng and everyone's
6 experience who worked with her at Ford, she -- she was
7 offered a position for full-time employment; is that
8 correct?

9 A. That is correct.

10 Q. And that was -- that was late last -- last year?

11 A. That is correct.

12 Q. Okay. And what was -- what was your role in
13 that, Mr. Anderson?

14 A. Okay. In -- earlier that year, they -- they
15 told -- Ford said that a technical specialist could no
16 longer be a supervisor as well or manager as well. So,
17 I had to give up half of my job but I chose -- in spring
18 of 2019, Ford reorganized the entire company, and at
19 that time, I was told the company instituted a policy
20 where technical specialists such as myself could no
21 longer have -- be supervisors or managers as well. We
22 had to indicate a preference. So, I kept the technical
23 portion of my job and left the -- someone else took over
24 the administrative portion of my job, the supervisory
25 portion, and we worked closely together, and I was on

1 the interviewing committee and certainly recommended
2 that we talk to -- that we interview Ms. Huang as one of
3 the two interviewers when she did interview.

4 Q. Okay. And how -- how did she do during the
5 interview?

6 A. She did well.

7 Q. Did you expect anything different from her?

8 A. No.

9 Q. And then did -- did -- did -- did she -- let me
10 ask you this. After the interview, did she -- did you
11 have further conversations with her?

12 A. Not until we made her -- casual conversations
13 which we -- right away, like I typically would do,
14 thanks for the interview and so on and so forth. Now,
15 afterwards, until we -- there wasn't much until we made
16 her the offer.

17 Q. Okay. Then what -- what -- what was the offer
18 for? What was -- what was the position? A battery
19 controls research engineer?

20 A. Correct.

21 Q. Okay. And then after you made her the offer,
22 did you then have some conversations with her about the
23 offer?

24 A. Yes, I did. I had a very long conversation on
25 it with her one day, probably an hour, and I was in the

1 Secretary of State's office, so I remember this well,
2 and trying to -- anyways, what she was saying, that we
3 had made her the offer, she told me that she was worried
4 about accepting because she felt the Professor Rizzoni's
5 long arm would reach in and affect her performance, and
6 I told her that that would not happen, she would be
7 evaluated only on the work that she did at Ford and
8 outside comments would not be tolerated and I encouraged
9 her to accept the position.

10 Q. Okay. When she said that his long arm would
11 reach, what -- what -- what did she say about that?

12 A. She felt that his comments he would make would
13 cause her performance ratings to be negatively impacted.

14 Q. Okay. So, she thought he could continue to
15 exercise influence over her career direction?

16 A. That's what she stated, yes.

17 Q. Okay. Did you understand that -- did she
18 express to you that she still felt traumatized by what
19 he had done to her?

20 A. I don't recall.

21 Q. Okay. And you made the assurances that you just
22 stated, but did she appear to still be apprehensive
23 about taking a job offer that had been -- that had been
24 extended to her by Ford given -- given her history with
25 Rizzoni?

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1 A. She -- she made that comment and I was trying to
2 convince her for the better part of an hour to take the
3 job.

4 Q. Okay. Were you able to do so?

5 A. I thought she would. She then provided -- made
6 a counteroffer which Ford responded and they never heard
7 from her again.

8 Q. Okay. And the way she left it with -- with you
9 in -- in your conversation with her was that she -- she
10 would think it over?

11 A. Well, she did make a counteroffer. I don't
12 remember whether that was before or after the
13 conversation, but again in terms, in terms.

14 Q. Okay. So, you're not sure if it was before or
15 after your conversations?

16 A. No. I do not remember.

17 Q. Okay. And you didn't take any notes of that
18 conversation, did you?

19 A. No. I was in the secretary -- getting my
20 driver's license renewed waiting in line.

21 Q. Okay.

22 A. It was just time for her to call.

23 Q. Yes. Who -- who -- who else interviewed with
24 Meng other than yourself --

25 A. Doctor --

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1 Q. -- for the --

2 A. Yeah.

3 Q. -- engineer?

4 A. Donell Washington was the person.

5 Q. Okay. Was James Martucci -- I'm sorry. I'm
6 mispronouncing that, but was he involved, James
7 Martucci?

8 A. No. He was not involved. I -- he was not
9 involved in the interviews.

10 Q. Okay. Did -- did -- did he -- did he say that
11 he wanted to sit at the interview?

12 A. He volunteered his services if -- if it was
13 needed, and we only needed to have two interviewers, so
14 we just went for the two. That was Dr. Washington's
15 decision.

16 Q. Okay. What -- what was -- did -- did -- did
17 Donell Washington after interviewing Meng share your
18 enthusiasm about her?

19 A. Yes. He was -- he was the hiring manager, so he
20 would have had to make the decision to make her an
21 offer.

22 Q. Okay. And who is Ted -- Ted Miller?

23 A. He is the senior manager for the battery
24 research activities right now. At the time, he was my
25 boss's boss.

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1 Q. Okay. Was he aware of the professor -- the
2 sexual harassment allegations regarding Professor
3 Rizzoni?

4 A. He was not in my chain of command. We were in
5 different organizations at the time, but he was
6 apparently aware of it based on comments in the email
7 that he made to me.

8 Q. Okay. I'd like to show you Exhibit 146 which
9 may be that email.

10 (Exhibit 146 was marked for
11 identification.)

12 MR. FOX: Why don't we turn to the -- just
13 scroll to the next page so we can see the whole email
14 exchange. Give the witness a moment.

15 A. Okay. Okay. Go ahead.

16 Q. Is this the email exchange you're referring to?

17 A. Yes.

18 Q. Okay. And this email exchange between you and
19 Ted Miller where Ted Miller is using the term, quote,
20 very complex situation, unquote.

21 A. I believe -- I believe I used it first.

22 Q. You used it first and he --

23 A. Yes.

24 Q. -- picked up on it; correct?

25 A. Yes.

1 Q. Okay. And that's -- that's -- the very complex
2 situation is obviously referring to the allegations of
3 harassment by Professor Rizzoni; is that correct?

4 A. Correct.

5 Q. Okay. Do you know how Ted Miller knew about
6 that?

7 A. When the lawsuit was filed -- this is my best
8 guess -- it was in the Ohio -- on the front pages of the
9 Ohio State and Columbus newspapers and there were a lot
10 of Ohio State grads who work for us and they saw this
11 and I was -- I know this because they came to me asking
12 about it right away including my name was on that, too,
13 so I'm guessing that's how, and because that both Jim
14 Marcicki and Alex Bartlett worked for Ted at one time,
15 I'm guessing that's how he heard.

16 Q. Okay. And was there a position open for Meng at
17 that time?

18 A. There was -- that note was a generic question.
19 There was not an opening in that 2018 for her specialty
20 which is battery controls and Ted had nothing under
21 that. So, she would -- and there was not a position for
22 her in the research side in 2018.

23 Q. Okay. And would you assume at this point as of
24 the date of your email exchange with Ted Miller that
25 the -- the sexual harassment allegations were -- were --

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1 were widely known with -- within the organization?

2 A. I think they were known because of the number of
3 Ohio State people we have, yes.

4 (Exhibit 147 was marked for
5 identification.)

6 Q. Okay. And I'd like to next show you
7 Exhibit 147.

8 MR. FOX: Will you just scroll through it for
9 context?

10 Q. Could you identify the exhibit, tell me what it
11 is?

12 A. Yes. It's -- every university project has an
13 annual report they have to submit under a standard
14 template that's prepared by the principal investigator
15 at Ford, in this case myself, and the university
16 principal investigator, in this case Dr. Rizzoni. So,
17 this would have been the one, I believe, from 2017.

18 Q. Okay.

19 A. Very -- very top.

20 Q. Okay. You provide the content for this where
21 indicated?

22 A. Yes. Most of it is very -- project management
23 issues, you know, so that's -- and much of it's boring
24 as all get-out.

25 Q. Okay. I don't disagree. I'd like you to turn

1 to the last page, if you could.

2 A. Yeah.

3 Q. And I just want to ask you who wrote those
4 comments once we're there.

5 A. Okay.

6 Q. Yes. So, MI -- the heading MIC comments in that
7 paragraph, do you know who wrote that -- those comments?

8 A. Yes. That would have been Mr. Bob Taenaka,
9 T-A-E-N-A-K-A, and Bob is the senior technical leader
10 for batteries in electrified power train engineering at
11 Ford where he's the product -- the product development
12 side, the people who put stuff into cars as opposed to
13 research with my input. So, every project has to have a
14 management integration champion and I -- so, probably
15 this was a combination of both Bob and myself writing
16 this. I mean, he had to write the final words but it
17 looks a lot like my input, too.

18 Q. Okay. And it was stated that whoever wrote it
19 supported the continuation of the project and looked
20 forward to its end product deliverables upon completion
21 of year three?

22 A. Correct.

23 Q. Okay. And he has identified Mr. Taenaka on the
24 first page as a management integration champion?

25 A. Correct.

1 Q. Correct?

2 A. Yeah.

3 (Exhibit 148 was marked for
4 identification.)

5 Q. Okay. Okay. I'd like to show you next
6 Exhibit 148. Appears to be a similar type document.

7 A. Could you stop there, please? Okay. I -- just
8 to go -- previous comments, I mentioned Kaveh Khodadadi.
9 That's how you spell his name in line 6 -- number 16.

10 Q. Yeah. Actually, I was -- I was going to ask you
11 that.

12 A. Yes.

13 Q. It's on the last line there; correct?

14 A. Correct.

15 Q. And while we're there, while we're on that
16 portion of it, it also refers to Mr. Xin Lin. I'm
17 mispronouncing it, I'm sure. But was that a visiting
18 scholar?

19 A. He was either a visiting scholar or post doc at
20 Ohio State. I forgot which -- what his status was.

21 Q. Okay. And while we're on that paragraph, I did
22 want to ask you another question. It says: In
23 addition, a small amount of funding was used for
24 Professor Emeritus Yann Guezennec and Mr. Kaveh -- Kaveh
25 Khodadadi. Who -- who decides to split -- to split the

1 -- to split and how to split the URP funding with
2 another professor?

3 A. Oh. Professor Rizzoni.

4 Q. Okay. Also, while we're on that page, just
5 right before that under paragraph 14, there are a number
6 of publications listed there and the last publication is
7 -- under number 4 is 2019 IEEE Prognostics and System
8 Health Management Conference, et cetera. It's a long
9 title but --

10 A. Yes.

11 Q. -- were you aware that's something that Meng had
12 authored?

13 A. Yes.

14 Q. And it's indicated there that it was nominated
15 for the best paper award; correct?

16 A. Correct.

17 Q. Were you aware that Meng's publication had
18 actually received the best paper award?

19 A. Subsequent to writing because it happened later,
20 but yes.

21 Q. Okay. Is that surprising you?

22 A. No.

23 Q. And I'd like to skip ahead to paragraph 20. Are
24 those -- okay. Are those Rizzoni's comments in
25 paragraph 20?

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1 A. Yes.

2 Q. And then if we could -- so, the date of this
3 report is apparently -- we could scroll forward to the
4 first page.

5 A. I believe it was April 30, 2019.

6 Q. That's correct. That date appears to the
7 right -- top right-hand corner of the first page and --
8 and Rizzoni is also listed as the faculty project
9 investigator; correct?

10 A. That was the -- that's the principal
11 investigator. That is --

12 Q. Principal investigator? Okay.

13 A. Yes.

14 THE VIDEO TECH: The page is not at the top on
15 the screen.

16 MR. FOX: Yeah. If we could just scroll up to
17 the top? There we are. Okay.

18 A. Can I make a comment in here?

19 Q. Sure.

20 A. There is information on this that is also not --
21 very sensitive on this that even if you notice in the
22 note that we do not send all this to the university PI
23 agent. So --

24 MR. FOX: Okay. We'll stipulate this is also
25 subject to the confidentiality order issued by the

1 Court.

2 A. That would apply to any of those for these
3 progress reports.

4 MR. FOX: Okay. Certainly, the exhibit -- so,
5 just for the record, it's Exhibit 138 and -- I'm
6 sorry -- 147 and 148.

7 Q. Did you have any interaction with -- with Lori
8 Herman after Meng reported to her -- the sexual
9 harassment complaints to you, did you have any
10 discussion or dialogue with her about Meng's complaints?

11 A. I believe we ran into each other once after the
12 court -- after it was announced and the lawsuit was
13 filed, just casually, we were in the hallway and she --
14 and we were both named in the lawsuit and -- but nothing
15 about the -- nothing really on the details. Oh, look,
16 we're mentioned in this, you know, and I made -- neither
17 of us knew -- neither of us knew really what happened,
18 so there was --

19 Q. Okay.

20 A. Yeah.

21 Q. Did you have any discussions with Chris Davey
22 about -- about her allegations?

23 A. I told him her -- him that allegations had been
24 made, certainly, and then that the project was -- and
25 then the project was on hold, so I had to keep him up on

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1 that part of it, but I -- I'm sure I took -- again, it's
2 been a while, but I told him what -- there were issues
3 with the project, the project was going to go into some
4 sort of change because of that, and then he just -- we
5 just let the process play out in terms of the
6 allegations. So --

7 Q. Okay. I just want to ask you just to return to
8 just a moment ago we talked about the funding split for
9 the project to another -- with another professor. Do
10 you recall the reason for that in this case?

11 A. Yes, I do. The professor was a professor
12 emeritus. He was retired. So, he was brought in as a
13 consultant.

14 Q. Okay.

15 A. And I think -- yeah -- so -- and provided very
16 valuable input. I mean that's -- I remember that part
17 of it.

18 Q. Okay. Did -- did anyone request from you --
19 well, let me ask you this. When -- when you were
20 interviewed by Jonathan Perry, did he request from you
21 any email or other documents?

22 A. No, he did not. Not that I recall.

23 Q. Would you have been willing to supply him with
24 any -- any email that you -- you had with either Meng or
25 Professor Rizzoni?

1 A. I would have assuming our corporate policy --
2 you know, HR people would have said okay, but yes.

3 Q. Did he ask you if you had any -- any -- any
4 notes of any kind about any of the -- any of the
5 relevant events?

6 A. I don't recall him asking that.

7 Q. Did he ask to see any -- any of the ratings or
8 evaluations of -- of Meng that you had filled out?

9 A. I believe he -- I don't recall him asking for
10 that.

11 MR. FOX: Okay. Bear with me a moment. Let me
12 just review my notes and let me take a five-minute
13 break. I think I may be completed with my questioning,
14 Mr. Anderson.

15 (There was a pause in the proceedings.)

16 MR. FOX: Mr. Anderson, thank you very much, Mr.
17 Anderson. We appreciate your taking time out and
18 appearing. I have no further questions.

19 THE WITNESS: Okay.

20 MS. CORL: Mr. Anderson, it's your lucky day. I
21 don't have any questions, either.

22 MR. LINVILLE: If they're ordering, Dyche will
23 read it.

24 THE WITNESS: Can I ask a question? It's
25 procedural. In terms of the -- in terms of the -- what

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1 is protected information in terms -- in terms of the
2 exhibits, is there a good way to do it for me to make
3 sure that everything is properly marked?

4 MR. LINVILLE: Yes. Dyche, you and I will talk
5 about that.

6 THE WITNESS: Okay. Okay.

7 MR. FOX: Thanks again. Thanks again very much.
8 We do appreciate it, Mr. Anderson.

9 THE WITNESS: Yes.

10 MR. FOX: Thanks again.

11 THE WITNESS: You're welcome.

12 THE COURT REPORTER: Christina, transcript?

13 MS. CORL: Yes. If the original is ordered,
14 I'll take a copy, yes. Thank you.

15 THE COURT REPORTER: Send you the original,
16 Bruce?

17 MR. FOX: Yes. Yes, Tony. And if you could
18 just attach the exhibits in PDF form as usual, that
19 would be great.

20 (The deposition ended at 1:51 p.m.)

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CERTIFICATE OF REPORTER

2

3 I, ANTHONY JUDE CORDOVA, a Certified Shorthand
4 Reporter and Notary Public, hereby certify that the
5 witness in the foregoing deposition was by me duly sworn
6 to tell the truth in the within-entitled cause;

7 That said deposition was taken down in shorthand
8 by me, a disinterested person, at the time and place
9 therein stated, that review was not waived, and that the
10 testimony of the said witness was thereafter reduced to
11 typewriting, by computer, under my direction and
12 supervision;

13 I further certify that I am not of counsel or
14 attorney for either or any of the parties to the said
15 deposition, nor in any way interested in the event of
16 this cause, and that I am not related to any of the
17 parties thereto.

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24 Anthony Jude Cordova, RPR, CSR

25